

# HOUSING

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## HOUSING SUBSIDIES UNDER THE SPOTLIGHT

*"We cannot look forward with any degree of pleasure to a civilization that must grant doles to itself for the provision of homes."*

Those who believe in Government subsidies to aid housing and those who oppose such subsidies will be greatly enlightened by the discussion of this aspect of housing that was had in Parliament upon the advent of the Labor Government last July.

Whether subsidies increase the cost of building or decrease it, whether they benefit people who are unable to pay an economic rent for their houses, or whether subsidy houses are occupied by people much higher in the industrial or social scale who are quite able to pay their own way, whether subsidies lower rents or have no effect upon them, are not merely touched upon, but are debated at great length from different points of view—depending somewhat upon the political affiliations of the speakers—in the field day that was given to housing in the House of Commons on July 15th last.\*

The occasion of the debate was the introduction by the Labor Government upon its advent into power, of a simple measure the purpose and effect of which were to rescind the action taken by the Conservative Government in reducing the subsidy for houses built under the Wheatley Housing Act of 1924 (enacted by the Labor Government when it was in power a few years ago). Under that Act it was provided that the amount of the subsidy should be reviewed at the end of a 2-year period, with the evident intention of reducing the subsidy if conditions warranted it. Acting under this authority the Ministry of Health last December issued an order, approved by Parliament, which would have abolished altogether subsidies under the Chamberlain Act of 1923 and reduced subsidies under the Wheatley Act of 1924 by an amount varying according to whether the house concerned

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\* We commend to those persons deeply interested in this subject, obtaining a copy of *Hansard* for that date, viz., July 15, 1929, Vol. 230, No. 13, pages 67-130, so that they may study this debate in detail. It will well repay study.—Editor.



was located in an agricultural or an urban area. This order reduced in urban areas the amount of subsidy per house from £7-10s to £6, and in agricultural districts from £11 to £9-10s.

While this order was issued last December it was to become effective only on October 1st of the current year, and it was to prevent this change in the subsidy from going into effect that the new bill was introduced in July by the Labor Government.

As pointed out by their spokesman, the Labor Government expect to deal adequately with housing and develop a comprehensive programme, but at that time there had not been opportunity to develop such a programme. All they wished to do, therefore, was to prevent the reduction of the subsidy from going into effect, until such time as they could develop such a programme and submit it to Parliament for its consideration—the proposed legislation being in the nature of stop gap legislation, which, as expressed by the Minister of Health, Arthur Greenwood, was dictated by his desire not to prejudice the larger problem by permitting the subsidy to be reduced and then finding himself with a reduced subsidy in the Autumn.

Supported by the Liberal Party the Labor Government had no difficulty at the conclusion of the debate, or shortly thereafter, in passing the new law rescinding the action taken by the Conservative Government last December and continuing the present subsidy as authorized under the 1924 Act, until further notice. So much for the merits of the issue involved, which became the occasion of a very interesting and valuable debate on the part that subsidies play in the housing movement. There is much to be garnered from that debate.

On the one hand, we find the new Labor Government contending that the reduction of the subsidy had not reduced the cost of houses, notwithstanding the fact that coterminous with the reduction of the subsidy there had been a great diminution in the cost of houses.

The spokesman of the Labor Government, Arthur Greenwood, Minister of Health, in the course of his remarks stated quite plainly what has been evident for some time to intelligent observers that Labor's interest in a housing subsidy is very intimately involved with the question of unemployment in the building trades, and that their housing programme, while put forward as a great social effort to do away with the slums, is largely dictated by the desire to secure permanency and continuity of employment for the workers in those trades.

Indeed, in the minds of many this has been the dominant factor in the Government's policy. That it is a most important factor was made evident by Mr. Greenwood who had the following to say on this point:



Unless, therefore, something is done, we may expect a repetition of 1927, a further cut in the amount of building, *another increase in the amount of unemployment* and a general disorganization of the building industry. Therefore I propose for the time being, that is to say, until after September of next year, when the next revision is due, to maintain the subsidy under the 1924 Act at its present level, and, in doing that, I think experience will justify the step which is being taken.

And, again, concluding his remarks, Mr. Greenwood said:

This Money Resolution and the Bill which will follow it are therefore designed merely to bring a measure of stability and continuity for the time being to the building of houses to let, while a larger and more comprehensive scheme is being prepared and passed through Parliament.

### SUBSIDIES INCREASE COST

Neville Chamberlain, Minister of Health under the Conservative Government up to the time of the general election last Spring—and under whose 4-year administration of that office the greatest number of houses had been built in England—contended on this occasion that the subsidy had tended to increase prices and that it had been largely absorbed as profits by the builders of houses. Because of his conviction that this was the case he was opposed to continuing the subsidy at its present level and anxious that it should be reduced, gradually, as had been proposed by his Government, until ultimately it should vanish and the building of houses be left to the ordinary play of economic forces. Discussing this aspect of the subject he said among other things:

Wherever we go today the cry is not merely give us houses but give us houses at a rent which we can afford to pay. Unless you can reduce the cost of building a very large part of our people who are inadequately housed today, will have to give up all idea of ever being able to occupy a new house of their own, unless they choose to overcrowd it by taking in lodgers. For that reason it seems to me more important to cut down the cost of building even than to maintain the rate of building.

On the much discussed question of what effect a subsidy has on costs, Mr. Chamberlain said:

Whilst I have never said, and do not say now, that the price of houses is governed solely by the subsidy, I am convinced that the actual amount of the subsidy is a most important factor in fixing the price of houses and I have strong evidence in support of that view. \* \* \*

In 1921 there was in operation what is now known as the Addison Scheme. In July of that year it was decided to close the scheme down because the price of houses had got beyond control. In that month the average cost of a non-parlor house throughout the country was £665. As soon as this scheme was closed down and no more subsidy was payable the price began to fall. It went on falling, until in December of the following year it reached the bottom at £346. In the follow-

ing year, 1923, there was introduced the Bill to which the right hon. Gentleman has alluded.\* Immediately the price began to go up. The subsidy under that scheme was equivalent to a capital sum of about £75 per house, and by January 1924 the price had gone up by £40, to £386.

Referring to the Wheatley Housing Act of 1924 Mr. Chamberlain went on to say:

Under the Wheatley Act the subsidy was increased from the equivalent of £75 to the equivalent of £160, or more than double, with the old effect again on the price, which immediately began to go up. In a month it had gone up by £52 and by October of that year it had reached a figure of £451 a house at which it then remained, approximately.

Mr. Chamberlain went on to point out that it so remained until December, 1926, and that it was on these figures that he had said to the House at the time that since in the past there had been this continual rise in the price of houses whenever the subsidy had been put up, he drew the corollary that "if we wanted to reduce the price of houses it could be done by reducing the subsidy."

He went on to say:

From the time when the announcement was made that the subsidy would be reduced, although the subsidy was not reduced as a matter of fact until the 1st of October following, the price steadily went down until in the first quarter of this year it had dropped to £339.

He added that the price had dropped since the change of the subsidy by no less than £112 a house.

#### THE TAXPAYER'S BURDEN

What happens to the taxpayer under subsidized housing was very strikingly pointed out by Mr. Chamberlain in this debate. After quoting from the Memorandum which accompanied the Bill introduced by the Labor Government to the effect that if 100,000 houses are provided in a year the additional cost to the Exchequer (Treasury) due to the proposed modification of the rate of contribution will amount to the large sum of £150,000 a year for a period of 40 years, Mr. Chamberlain went on to say:

If you capitalize that amount at 5%, it means a capital sum of £27,000,000; and if the same policy is continued for 5 years and the number of new houses remains about the same, you find that the capital sum involved amounts to £135,000,000. That is a very large sum of money, and while of course I do not think anybody would

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\* *The Chamberlain Housing Law of 1923.—Editor.*



grudge the expenditure of very much larger sums than that, if we were satisfied that they were being usefully employed, I think that in this case it is practically certain that this money will not go for the benefit of those who are crying out for cheaper houses, but will merely be distributed in some way throughout the various branches of the building industry.

A new point of view was presented by E. D. Simon, one of the leaders of the Liberal Party and a man who has given much thought and attention to the subject of housing. Mr. Simon is the author of the most recent book on the question in England, "How to Abolish the Slums",\* published during the present year. According to Mr. Simon the volume of building is largely dependent upon the amount of the subsidy. Pointing out that when the subsidy had been reduced from £9 to £7-10s the number of subsidy houses built dropped to 100,000 a year, he added that the increase of the subsidy had caused a corresponding increase in the volume of building, even going so far as to say that if the subsidy had not been reduced, that the output of houses in England during the past year would have been doubled, viz: would have been 200,000 houses instead of 100,000.

#### BUILDING ON THE GRAND SCALE

Stating the position of the Liberal Party he enunciated the following housing programme:

The declared policy of those who sit on these benches (Liberals) is to build 200,000 houses a year, of which probably 50,000 would be private enterprise houses; and if that programme is to be fulfilled, it means that we must have 150,000 subsidy houses built each year. How are we going to get this result? Obviously, not by cutting the £7 10s subsidy to £6. That obviously would be disastrous and fatal. We are entirely in favor of maintaining the subsidy at its present figure. Because we want to build this number of houses every year.

Turning to the question of the price of the subsidy house, Mr. Simon admitted Mr. Chamberlain's contention that every time the subsidy rose the price increased, and every time the subsidy was cut the price went down.

An interesting side light on the way in which Government aid to housing operates was shed by the figures given by Mr. Simon. According to him a really economic local authority can build a house with 3 bedrooms and no parlor at about £400 including the land, that is to say £350 for the house and £50 for the land and drains. The economic

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\* "How to Abolish the Slums", by E. D. Simon. Longmans Green & Co., 55 Fifth Avenue, N. Y. C. 142 pp. Price, \$1.80.

gross rent of that house he stated as 14 shillings a week. By means of a subsidy of £7-10s that rent is brought down to 10 shillings gross rent and that is beginning to be a reasonable figure within the reach of the ordinary artisan with a family. Continuing along these lines, Mr. Simon added that if you abolish the subsidy you cannot let such a house at 10 shillings per week gross rent, unless the house is built for £200.

### THE SOCIALIST POINT OF VIEW

An out and out Socialist point of view was contributed from the Left Wing of the Labor Party by the remarks of John Wheatley, Minister of Health under the former Labor Government, under whose administration the so-called Wheatley Housing Act was enacted. Mr. Wheatley's point of view was well illustrated by the following statement of what he considers the housing problem:

It is a problem of giving to the working-class a healthy house for which they can pay the rent out of the wages which they receive at the moment from industry. The right hon. Gentleman asked when the subsidy will stop. If he can tell me when the system of paying wages that will not enable the people to supply the necessities of life will stop, I will tell him when there will be no need of a subsidy. The right hon. Gentleman in one breath maintains a system that keeps down wages and makes the price of labor cheaper by every improvement in industry, and in another breath he asks when we shall cease to require the means of a healthy life. You are not giving that means of healthy life today, and, therefore, you have to deal with the problem to some extent by taking something by taxes out of the pockets of the rich, and using that to reduce the price of the necessities of life for the poor, and in that roundabout way to secure a better distribution of wealth.

And again:

The housing problem cannot be solved while there is any considerable number of families who cannot afford to pay the rent which is being asked.

### HEALTH NEEDS NEGLECTED.

What was most emphatically a new note in the discussion of this question was struck by Col. F. E. Fremantle a health expert, a member of the London County Council, and one of England's leading experts on the housing question.\*

Colonel Fremantle pointed out to members of Parliament that by spending these vast sums on subsidizing housing, most of which went into the pockets of the builders, the Government was prevented from

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\* See "*The Housing of a Nation*", by F. E. Fremantle, Phillip Allan & Co., London. 186 pp. Price, 3s-6d, net.



spending other sums greatly needed in the interest of the health of the country. Colonel Fremantle said on this occasion:

I should not object if we were getting our money's worth, but I am bound to say, as a medical officer of health, that there are any number of practical health schemes being turned down because they will cost perhaps £1,000,000, £2,000,000 or £500,000, for the simple reason that the Government cannot afford to carry them out, and yet they are now proposing to increase the housing subsidy to the extent of £6,000,000 a year. There appears to be either ignorance or indifference to the housing question, or else there is an ignorant defence of it regardless of the amount of money spent, to which we are opposed. We medical officers of health urge as strongly as we can that the Treasury should reduce the vast sums which were spent by the late Government upon housing in order to provide more money for other important health services which are calling out for treatment. I think hon. Members in their heart of hearts must realize that we are spending vast sums of money on one thing only, when there are many other matters which are more important as affecting the health of the people.

Dealing with the subject of the relation between the subsidy and cost Colonel Fremantle said:

The matter that is before us to-day is really not one of housing, but one of expenses. I believe that we shall not get the advantages suggested from a continuance of the subsidy at the present rate, and that, from this extra £6,000,000 which we are voting, we shall not get a reduction in cost. Probably a good deal of the increased subsidy will go elsewhere. The experience always is that *everyone glues on to a subsidy where they can*, and that it goes into all sorts of circles where it is not required.

How serious this question is and how little its consequences are regarded were pointed out by Colonel Fremantle in his concluding remarks when he said:

One practical proposal is my alternative, which is that subsidies are necessary in certain areas and not in others, that they are necessary in certain cases and not in others, that they are necessary for certain classes of the community and not for others. If you give a gross subsidy like this, nine-tenths of it is wasted, and only one-tenth is useful. I have the authority, although it is not necessary to go into it now, and perhaps it would not be right to do so, of a large body of influential opinion that has itself recommended the application of a rent subsidy by local authorities where it is most required. If this £150,000 a year, or £6,000,000 in all were given to the new local authorities under the Local Government Act, to use whether in reduction of rent or in other directions, for the relief of householders who really need it, you would get 10 times the value for this money that you are going to get from this housing subsidy, and yet it is introduced in this form by a Government who believes that it will be of help in the housing question.



## THE SLUM DWELLER DOESN'T GET THE SUBSIDIZED HOUSES

Another aspect of the question was brought out by Mr. Kedward who pointed out that the people whom the subsidies were intended to benefit were not always benefited by them. On this point he said:

I should like to feel that we could have the subsidy of 1924, but I should like to be assured by the Minister that the subsidy is really going to benefit the people for whom it is designed. We are paying a subsidy and there are heaps of people who do not need subsidized houses who are living in them. \* \* \* A friend of mine, a school-mistress earning £300 a year, taking with her a friend earning £200, gets a subsidized house and *gets outdoor relief work in bricks and mortar for 40 years*. Next door to them is an ex-naval pensioner whose income is £300 or £400 a year and who runs a little car. Beyond that is an ex-inspector. All three of them are side by side in subsidized houses.

If the money is to be spent along those lines and you are going to let the houses to people whatever their income, and get people with £200 or £300 or £400 a year battenning on the State, and receiving a rent subsidy for 40 years, that is not Socialism, as I understand it, and it is certainly not capitalism. That sort of thing is lunacy. We want to examine the matter with a very great deal of care, and see that we are not pouring out the resources of the country upon people who do not need it and have never asked for it. There should be some careful examination of the incomes of the people to whom you are going to let the subsidized houses. Unless you do that, you are going to condemn these poor people for whom some of us want to speak to years more of dwelling in slums.

### A VICIOUS CIRCLE

An interesting sidelight was thrown on the question by the remarks of Mr. MacLaren, a member from Stoke-on-Trent. He added that touch of practicality to the debate that it needed, giving the members the benefit of his own experience as a member of the Corporation of that town. Speaking on the subject of subsidies, he said:

We have the Government subsidies. I never agreed with the subsidies. Subsidies are like Protection: they feed people who ought to be dead. When we knew that these subsidies were coming along, my colleagues on the Council and I set to work to see how we could build, not one of your accursed non-parlor houses, but a three-room and kitchen house, with bathroom, so that it might be let at 10s a week. When we added the rates, we found that the rents of the houses had to be increased to 19s. 6d. per week, throwing the houses right beyond the grasp of those who desired them.

Mr. MacLaren also pointed out that the high local taxes, or "rates", as they are called in England, was one of the reasons why the cost of housing is higher than it ought to be. According to him, the road of subsidies is a disastrous road to pursue. Emphasizing this aspect of the question, he said:



## THE BUILDING TRADE GETS IT

I have yet to learn that subsidies increase wages and lower costs. I can prove, as I think any hon. Gentleman in this House can prove, that subsidies inflate costs by encouraging "rings" and monopolies in building materials, and lower wages by the amount of taxation levied to create the funds necessary for the subsidies to be distributed through the State.

## DOES SUBSIDY MEAN LOWER RENTS?

The whole issue was very admirably summed up by Sir Kingsley Wood, Parliamentary Secretary of the Ministry of Health under the Conservative Government, who in that capacity had much to do with the housing policy of that Government. He said, among other things:

The problem which faces the House of Commons today is not the problem of houses to let, but the problem of building houses which can be let at such rents as the poorer-paid members of the community can afford to pay.

And again:

Would anyone here desire to go back to the days of the Addison houses when you had the highest subsidy paid in the history of this country, when prices went sky high, and when you had the highest cost of houses at any time in our history?

And finally:

The vital point of this Debate is whether or not a subsidy does bring about houses at lower rents. That is the whole issue.

As we said at the beginning of this article, this debate is so enlightening that all students of the question of housing subsidies should obtain the full text of it and study it with care.

## SUBSIDIES AS SEEN BY OTHERS

An expression often used in England to the effect that the looker-on sees most of the game may be true also with regard to this vexed question of subsidized housing. Certainly due allowance must be made for political bias in the views expressed by the leaders of the great political parties in a parliamentary debate such as we have just reported.

While we do not mean to suggest that people outside of Parliament are without bias or are not unconsciously influenced by their predilections, on the whole, the views of unprejudiced observers as to the operation of so important an experiment as subsidized housing seem to be more controlling than the views of those who have taken an active part in upholding such subsidies or in opposing them.



It is of very great interest, therefore, to get the results of 10 years' operation of the housing subsidy in England as set forth by so competent and unprejudiced an observer as W. L. Hare, the editor of the journal, *Garden Cities & Town Planning*. In a recent issue of that journal Mr. Hare points out that after 10 years the people in England "may now survey with clear vision the results of these efforts to hasten the normally slow process of housing and may learn lessons from the experience."

He says:

Contrary to the popular belief, no Government has promised to build houses or has in fact built any; they have aided private persons, builders and local authorities to build upon terms set out in the Acts. The duty of initiating schemes and of carrying them out lies upon local authorities who have built 467,524 houses in 10 years and who draw in rents a sum which must approach many million pounds per annum. Assisted private enterprise has produced 361,137 houses under the several Acts, while unassisted building has reached in the same period a total of 445,927 houses. \* \* \* Since the war ended, 115,654 persons have been enabled to acquire small houses by advances (by the Government—Editor) amounting to £55,844,992.

#### THE HIGHEST SUBSIDY PRODUCES THE FEWEST HOUSES.

Mr. Hare then proceeds to give figures showing the number of houses produced under each of these three main housing acts, viz., the 1919 Act (the Addison Act), the 1924 Act (the Wheatley Act) and the 1923 Act (the Chamberlain Act).

It is interesting and significant that the Addison act which paid the highest subsidies, and where practically the subsidies given by the State were unlimited in amount, produced in the 4-year period of its operation the smallest number of houses—viz. 213,689—and the lowest average number of houses built per year, viz., 53,422.

The 1924 Act, sponsored by Mr. Wheatley, Minister of Health under the previous Labor Government, offering a subsidy very much lower than that given under the Addison Act of 1919, produced a very much larger number of houses in the same 4-year period than was done with the Addison Act, viz. 236,958—an average of 59,279 a year.

While the 1923 or Chamberlain Act, sponsored by the Conservative Government under Neville Chamberlain as Minister of Health, while paying the lowest subsidy produced not only the greatest number of houses during the period under review, but also the greatest average production of houses per year—viz. 387,205, an average of 77,841 per year.



One of the striking facts brought out by Mr. Hare's figures is that private builders, receiving no subsidy of any kind or any financial assistance from public funds, during a period of 7 years built 445,927 houses, an average of 63,703 per year.

### THE EFFECT OF SUBSIDIES ON BUILDING PRICES

In this review of 10 years' experience with the housing subsidy, Mr. Hare draws the following conclusions with regard to the effect of subsidies on building prices.

Within world economic conditions Dr. Addison's subsidies drove up the cost of houses, while the cost dragged up his mobile subsidy. Even Mr. Chamberlain's fixed contribution pushed up the cost of a house by £50, and with the entrance of Mr. Wheatley a further rise occurred. Immediately notice of reduced subsidies was given, house prices declined in 1927 uniformly to June of this year.

But this rise and fall is not mechanistic in its operation; it is psychologic, prudential and economic. That is to say, house building becomes a more desirable activity when a part of its capital is supplied by Government, and, upon reduction or withdrawal, less desirable. The Government, like a fabulously rich merchant, comes to market, and exercises abnormal influence upon the price of the commodities it desires to buy. The Local Authorities initiate the chain of movements by increasing—or reducing—their housing schemes. Everyone connected with the industry feels this and raises—or lowers—his fees and charges by a percentage which, cumulatively, is represented by £50 or £60 per house. Conversely, when Sir Alfred Mond retired from the market in 1921, the kite swooped down, followed by its tail; when Mr. Chamberlain gave 12 months' notice to decrease his payments, the cost sank appropriately.

Let us attempt, then, to put the case in a few sentences. In normal economy a high subsidy will tend to raise prices and increase the rate of production; a lowered subsidy will reduce cost and slacken the pace of building. A fixed subsidy will lead to stability of prices and production, but a mobile subsidy, like Dr. Addison's, will increase cost and consequently delay production.

So much for the cold facts as to the effect of subsidies on house production and on the cost of such houses to the occupiers of them, as disclosed by 10 years' operation of housing subsidies in England.

### AS ANOTHER OBSERVER SEES THE SUBSIDY

B. S. Townroe, one of England's leading authorities on the housing question and a keen observer of the situation, recently pointed out that on 174,603 houses built under the Addison regime there is an average annual loss of £39. 10s; and that as a result, the building of these houses with a subsidy has imposed a burden upon the British Treasury of approximately £7,000,000 a year—a burden that will continue for an-



other 50 years. Mr. Townroe adds that these houses do not belong to the State, they are the property of the local authorities who at present manage these housing estates and derive from them such revenue as they produce. The national loss of about £7,000,000 a year is thus recouped in part through rent and local taxes paid to the municipalities and other local authorities.

On the vexed question of whether subsidies should continue to be provided from public funds or not, Mr. Townroe has recently pointed out that the absence of any check upon the amount of money to be given from the taxpayers' pockets has led to great extravagance and waste. He cites the case of small cottages that in 1914 were being built for £400 in Essex, were built by the city of London after the War at public expense at a cost of £1,540 each. He goes on to say that these cottages were sold to private owners as recently as last year at about £500 each, leaving a loss of £1,000 on each house—to be borne by the taxpayers of England.

He very pungently adds that it would be easier to justify this expenditure if the houses were occupied by those persons who are most seriously in need of housing accommodations, but for various reasons the present tenants on municipal housing estates belong in many cases to the "white collar class".

From all of which it would seem as if housing subsidies were not an unmitigated success in England.

## SUBSIDIES NOT ALWAYS NEEDED

One indication of the slight part that subsidy needs to play in bringing about the building of houses for the working classes in England is evidenced by the reported action of the local authorities in that part of London known as Westminster, who have decided to build blocks of dwellings to accommodate in all over 3,000 people. It is stated that the Westminster City Council do not intend to ask any subsidy from the Federal Treasury in connection with this scheme. In the view of the Westminster Council the working classes in that part of the city want a different type of house from that built under the subsidy. They want tenements of a less number of rooms, at lower rents, and are not accustomed to individual bath rooms but are quite content with public or communal baths. A further factor in the decision of this local authority to go it alone is said to reside in the fact that the granting of a Government subsidy implies a control of rents which the Council in Westminster desires to keep in its own hands.



This declaration of independence of Government by a district in which Government has its seat does not, however, mean that these houses are to be produced without a subsidy. It simply means that the subsidy is to come from the local Government, to be borne by the local taxpayers or rate payers as they are called in England, instead of from the Federal Government.

There is not a vast difference between Tweedledum and Tweedledee!

## WHEN HOUSING ENTERS POLITICS

There is a small but militant minority in the United States who believe that housing should become a political issue—not perhaps a political issue in national matters but in local and state affairs.

What happens when housing becomes a political issue was well illustrated in the recent General Election held in England a few months ago.

*Garden Cities and Town Planning* in a recent issue sums up the criticism of the Government on their housing policies in one column and gives an impartial answer on these 9 points of criticism in another. These contrasted statements indicate the kind of thing that happens when housing ceases to be left to the play of economic forces and becomes the football of politics. Their statement is as follows:

The housing situation is being clarified by the fierce light of criticism directed towards it by the two parties in Opposition and by the exuberant defence made by the members of the Government. The electors are asked to approve or condemn what has been and what has not been done. \* \* \* Putting aside all the exaggerations, the criticisms of the Government appear to fall into the following propositions:

### CRITICISMS OF THE GOVERNMENT ON ITS HOUSING POLICY

1. The general housing problem is not solved.
2. The Slum problem is hardly attacked and its evils are still rampant.
3. The 1923 Act, as administered by the Government, has produced only 76,503 houses to let and 391,057 for sale to tenants probably not of the working classes.
4. The 1924 Act designed to produce houses for the working classes has not been sufficiently invoked.
5. The Building Agreement of 1924 has not been implemented by the Government of 1925-29, and a "pledge" made by the Government of 1924 has been broken.
6. There is at present no sign of private enterprise being in a position to build working-class houses for letting at economic rents.
7. The subsidy has been (a) wrongfully or (b) unwisely reduced, thereby diminishing the output of houses for the working classes.
8. During 4 years' building, operatives from 107,000 to 159,000 have been unemployed, casting an unproductive burden upon the country.
9. There are still unbroken "rings" keeping the prices of building materials above the normal.

## THE GOVERNMENT'S ANSWER TO THESE CRITICISMS

1. Inasmuch as the "White Paper" accompanying the Act of 1924 looked for the solution of the Housing problem only by the completion of a programme in 1939, the charge of having failed in 1929 falls to the ground. Moreover, the Prime Minister stated that the housing task is only "half done".
2. This is admitted, but it is explained that the provision of new houses was and is still regarded as the initial stage to the emptying and demolition of the worst slums. People going into the 1,217,128 new houses must, to a great extent, in leaving their old dwellings, make room for the "filtering up" of those from below. Slum clearance schemes to date number 58, rehousing 34,396 persons. New legislation is in preparation for intensive slum clearance and re-conditioning of low-grade houses.
3. The provision of 391,057 houses by assisted private enterprise (presumably for sale) strengthened the building industry usefully and served the needs of that number of owner-occupiers who were enabled to vacate many of their former dwellings. 76,503 local authority houses under the Act is not a negligible quantity.
4. It is not for the Government to initiate housing schemes, but the duty of the Local Authorities. The Government approves or otherwise the schemes and grants the subsidy. Few, if any, schemes have been refused sanction by the Ministry.
5. The Government did not give a "pledge" or adopt one from its predecessors or break one. The Building Agreement of 1924 is still in force and has not been undone by the Government.
6. The reduction in the cost of building of about £100 per house is moving in the direction of an economic rent. No proposal has yet been made to rely entirely upon private enterprise, assisted or otherwise.
7. The subsidy has (a) been terminated in one case and revised in another in conformity with the sections 4 (2) (a) and 5 of the 1924 Act. The Minister claims that the changes were warranted by financial conditions and have been justified by results. It should be borne in mind that Local Authorities have a definite statutory obligation under section 60 of the Act of 1925 to prepare and submit to the Minister a scheme for the exercise of their powers irrespective of the amount of the subsidy granted for the time being. If they are holding back, the Government is not to blame.
8. Unhappily these figures are very serious, but it is hoped that improved conditions of trade will absorb a large part of the unemployed building operatives in general building and a part in the proposed treatment of slums.
9. If this be so, it points to the fact that the Building and Material industries are not keeping to their agreement and is no fault of the Government's.

## ITALIAN WORKERS HOUSE THEMSELVES

What started 7 years ago as the forlorn hope of one impoverished war veteran in Florence, who found himself unable to meet the increased rent demanded by his landlord and keep a roof over his family, has in this short period developed into a national movement, recently given the approval of the Government, and which promises to play an important part both in meeting the housing problem and the problem of unemployment in Italy.

The movement was started by Captain Guido Venturini, a resident of Florence, who, unable to meet the increased rent demanded by his landlord, determined to see whether he could not build his own house in such leisure time as was available when he was not working at his regular occupation. It also occurred to him that there were



probably other war veterans or citizens of that city similarly situated, unable to meet the high rentals resulting from the post war shortage of houses and anxious to have their own homes. Accordingly, he brought together a group of 11 other war veterans and suggested that they pool their resources and efforts and purchase a piece of low-priced land in the suburbs and erect upon it individual dwellings, doing the actual building work themselves. By this means they were able to buy building materials at wholesale rates and effect a considerable saving. In addition, each member of the group contributed his leisure time to the actual labor of building the houses. The 12 members thus associated were able to raise among themselves the pathetic sum of 802 lire (less than \$40) capital which was used to make the first payment on the land. The material needed was obtained on credit. Among these 12 bold pioneers were several who were skilled in manual trades and with their aid 12 dwellings were finally built for 12,000 lire each (less than \$500 a house).

It took 2 years to construct these buildings as the work could only be done either before or after the regular working hours of the owners and on Sundays and holidays. When completed each dwelling was of 2 stories and cellar and contained 6 rooms and bath.

When it became evident that this method of meeting the housing shortage was proving a practical success, other members of the War Veterans Association followed suit and began to organize similar groups.

As was to be expected, the building trades—both employers and workers—as they saw this movement growing began to look askance at it, fearing that it might seriously affect local building industries. So it is not surprising to learn that this small group soon began to find all kinds of difficulties placed in their way. Notwithstanding that they made numerous efforts to induce the State to interest itself in their experiment, it was 6 years before the Government was willing to do so, due largely to the fear on the part of the Government that a request for a loan or a subsidy would be made to finance the increasing number of groups of cooperative builders. As millions of lire which had not been repaid had already been contributed by the Government for the erection of workers' dwellings, it naturally hesitated to give its approval to a scheme which might involve further financial outlay.

Recently, however, the Government has taken official notice of the undertaking, and as a result the National Association for Inexpensive Dwellings has been organized with Mussolini himself assuming the Honorary Presidency of it, at his own request.

No Government subsidy, however, is to be requested for the building of war veterans' homes, but in lieu of it the houses thus built will be exempt from all taxes for a period of 25 years; all contracts made for such houses will be free from the necessity of expensive revenue stamps; any mortgage that may be placed upon the property will be free of taxation, and all materials used in construction of the houses will be exempt both from local taxes (octroi) and also from customs duties where imported material is used.

This movement which started with such humble beginnings is such a success that, by March 1927, there were 200 groups of War Veteran Home Builders organized in the province of Florence alone. Numerous groups have also been formed in 6 other provinces, and recently the Central Committees of War Veterans in 17 additional provinces have announced that they intend to join the movement. It is obvious that the movement has become a national one. In the province of Florence where the movement started 300 individual dwellings have been constructed and are already occupied, 100 others are built but not occupied and 1300 more are in course of construction.

Incidentally, the methods employed in this interesting experiment are not only helping to solve the housing problem in Italy, but also are having an important relation to the problem of unemployment.

## HOUSING IN SPAIN

According to Federico López Valencia, the head of the Housing Bureau in the Ministry of Labor and Commerce at Madrid, the situation is one that requires continued effort and has been having very active attention by the Government since 1911.

Spain, in common with the rest of the civilized world, has experienced a tide of population towards the great cities, with depopulation of the countryside and overcrowding of the large centers of population. Due to the natural increase of population in those centers and the migration of people from the country, attracted by the advantages of urban life, the result has been overcrowding and a shortage of dwellings for workingmen—and even for the middle class. This shortage of living accommodations in the large cities has been made worse by the unwillingness of private enterprise to build low-priced houses, because the return from that form of investment has not been sufficient to make it profitable.

Señor Valencia thus describes how the workmen in Spain live. He says:



In the large Spanish towns the workingmen live in old districts in 4 and 5-story tenement houses. The apartments generally are of 2 or 3 rooms. Overcrowding, filth and lack of light and air make these houses very unhealthy and the diseases there bred produce a high rate of mortality.

Other workers live in shacks in the outskirts of the large cities, really little more than huts made of old building materials and notwithstanding the ability to secure a greater amount of light and air these are almost as unhealthy as the tenements in the cities.

In order to remedy these evils the Government as long ago as 1911 took steps to encourage the building of cheap houses and enacted laws to that end. This encouragement is brought about in a number of ways, by tax exemption of both local and federal taxes, by building subsidies, by state loans at low rates of interest, and by payment of part of the interest on loans and bonds.

Under the law of 1924—the law under which they are working at the present time—houses that receive government assistance may not be sold for more than the equivalent of \$5,000, including the land, nor can a higher rent be charged than \$16.50 a month. In order to benefit by this state assistance, occupancy of such houses is limited to tenants whose yearly incomes are not higher than \$1,000.

The Government recognizes two broad divisions of workers to be helped: First, the really poor or working man for whom special arrangements are made for what is known as “cheap houses”. The second group is on a different basis and may be said to be for middle class tenants or the white collar class, known under the law as “economic houses”.

For “workers’ houses”—for which we have just stated the limitations of sale price, rental and maximum family income—exemption from local and federal taxes is granted for a period of 30 years. The State makes loans on such buildings at 3% interest in the case of cottages and 5% interest in the case of tenements. Such loans are for 50% of the value of the land and 70% of the value of the building and are repayable in 30 years. In addition, direct building subsidies are granted by the Government from 10 to 20% of the value of land and buildings. As a further means of encouraging the building of such dwellings, part of the interest is paid by the Government up to 3% on loan and bonds. In addition to these encouragements, special advantages are granted to Cooperative Societies building houses to be sold to their own members.

When it comes to the other group, the middle class or white collar class of tenants—the so-called “economic houses”—the maximum cost of these is double that of the other, or \$10,000, including the land. They

are built in the large cities only. These houses are granted exemption from both local and federal taxes for a period of 15 years, instead of 30 years as in the former group. They also may receive loans of state funds at 5%, as compared with 3% interest in the former case, to the extent of 50% of the value of the land and 60% of the value of the building. In the case of civil employees these loans amount to 100% of the value of land and buildings and tax exemption runs for 30 years.

In addition to these two very direct stimulants to house building, the laws provide for assistance to local authorities building "cheap" and "economic" houses—that is for both classes of tenants—in connection with town planning schemes. The local authorities of the town of Zaragoza have already availed themselves of these advantages and are now building 4,000 houses in a new quarter of that town.

Slum Clearance has not been lost sight of. At Barcelona and Seville Committees have been established to raze slum shacks spreading in the outskirts of these cities—which now number 6,000 in the case of Barcelona and 1500 in the case of Seville—and substitute for these new modern healthy houses. Thus far the Government has invested the following sums in aiding the building of houses up to June 1st, 1928, making a total of about \$30,000,000.

Subsidies 1911-1924 .....	\$ 1,396,715.
Loans at 3% interest.....	16,364,865.
Loans at 5% interest.....	7,833,845.
Building subsidies, 1925-1928.....	4,594,145.
Part interest .....	266,830.
	<hr/>
	\$30,456,400.

Houses built with these subsidies are scattered all over Spain. In Vizcaya much building has developed in the form of efforts by workmen's cooperative societies, assisted by the provincial government which has resulted in the building of 2332 cottages. Similar efforts have been very successful in Madrid, Barcelona, Valencia and Seville.

In Málaga they are building a Garden Suburb with 1049 dwellings. In Seville 2 housing schemes are being carried out with 390 and 1500 houses in them respectively. In Madrid another housing development with 1611 flats in tenement houses of various types are under construction, and other groups of houses are being built not only in Madrid but also in Barcelona and Valencia.

## REGIONAL PLANNING FOR MADRID

A Report has recently been rendered on a comprehensive regional plan for the city of Madrid by a committee of experts appointed by the Town Council under the leadership of the Chief Engineer and the Chief



Architect of that city. One rather unique feature of the work is the offering of a prize of \$25,000 for the best regional plan to be developed, with 4 minor prizes of \$2,500 each for meritorious suggestions.

The chief recommendations of this Committee may be summarized as follows:

1. That the subject should be considered with regard to the development of the whole Region, as well as the planning and replanning of the central parts of the city and its environs.

2. New sections should be developed in harmony with the rest of the project.

3. Manufacturing and industrial zones should be created near the railroad stations, railroad tracks and along the principal highways, with various groupings of workingmen's dwellings.

4. Between these centers the main highways, parks and gardens are to be laid out, with the understanding that the main arteries are to be considered as the basis for the whole preliminary plan.

5. Extensive changes in the already developed sections of the communities included within the area, are to be avoided wherever possible, not only because of the expense, but also so as not to intensify housing difficulties. It is realized that these changes must come gradually and are likely to come naturally at a later period.

6. Emphasis is laid upon the fact that in the remoter areas and the regions adjacent to the more developed centers, a system of block dwellings or tenements should not be permitted but that the housing in these districts should be in small single-family houses.

7. The comprehensive plan to be developed should show the location of the principal public buildings, schools, hospitals and similar services, within each section leading from the main arterial highway and should be located, wherever possible, in the neighborhood of gardens.

8. The main arterial highways or avenues should be supplied with all municipal services including rapid means of communication. These services are to be deliberately excluded from the residential sections of the city but are naturally to serve the public buildings located near parks and gardens.

9. In developing parks it is recommended that the English, or natural, type of park, with trees and landscape features be favored, rather than the so-called formal gardens, familiar in Paris and other Continental cities. The Committee even goes far as to recommend that such parks may be so arranged that the public may have free access not only to the walks and pathways but also under the trees and on the grass.

As a means of carrying out these recommendations and developing a comprehensive plan, the preliminary report recommends the enactment of certain municipal by-laws authorizing the creation of the proposed regional and extension project.

We have already referred to the competition for the development of the regional plan with a first prize of 250,000 pesetas and 4 other

prizes of 25,000 pesetas for meritorious projects. The competition is to be international in character.

Further information with regard to this interesting project, may be obtained from the Municipal Architect, Eugenio Fernandez Quintanilla, at Calle Espana No. 7, Madrid.

### APARTMENTS REPLACING MOSQUES IN TURKEY

Turkey, which is going through the throes of modernization under the forceful guidance of that brilliant leader Mustapha Kemal, in common with other European countries has been suffering from a housing shortage, particularly in the city of Constantinople.

That city, though no longer enjoying its past glories, still remains the chief seaport and business center of Turkey. Although it has been repeatedly ravaged by fire and suffered the direct consequences of warfare for the past 2 decades, it is still a very active and, strangely enough, a growing center of population. The housing shortage has become so acute there recently that it is now proposed to sell about 100 of the smaller of the mosques which abound within the city and erect on the sites thus made available modern apartment houses. The situation is somewhat like the situation in London where there are more churches than the city needs which occupy valuable sites that in many cases had much better be released for purposes more in keeping with present day conditions.

### AMERICAN APARTMENTS FOR MOSCOW

According to recent dispatches, work is progressing rapidly in Moscow on the first units of a group of apartment buildings being constructed by an American building firm under contract with the Soviet Union and the Moscow city authorities. A large force of men is at work on excavations in various parts of Moscow on half a dozen different apartment projects, several school buildings, a laundry or two and one or more industrial plants.

The work being carried on this year involves an expenditure of about \$4,000,000, of which approximately \$2,500,000 will be for new residential property. A 5-year programme calls for the expenditure of \$25,000,000 at the rate of about \$5,000,000 a year. One reason for the building of these apartments is the serious housing shortage which has existed in Moscow since the War. Since 1913 the population has increased approximately  $\frac{1}{3}$  until it now numbers in round figures 2,000,000 inhabitants. It is for this reason that the Moscow city council



has voted more than \$20,000,000 for its part of the work on these new developments.

The methods under which the American contractors are operating are not without interest. Between 20 and 30 key men in the building industry, from expert steam shovel operators to master bricklayers, have been sent to the Moscow offices by the New York company to supervise the work and to instruct Russian employees in American methods. An American is in charge of the work.

By the end of 1932 it is estimated that about 3,000,000 square metres of housing space— $\frac{1}{4}$  as much as the present facilities—will be needed. The ultimate cost has been placed at \$250,000,000.

Most of the building operations to be undertaken will be financed by the City itself, by various Cooperative Societies and through subsidies from the federal government.

It is expected that through mass production and the use of American building methods and machinery, a saving of more than one-third of the cost of the work will be had during the first 5-year period. It is stated that great crowds of interested persons have watched the beginning of the excavation work on the apartments, expressing wonder at the speed of the steam shovels and other machinery sent from America for this work. For, such machinery is something of a novelty still in Russia, although the use of modern methods is spreading.

Under the terms of the contract the materials used in the construction of these apartment houses must be purchased in Russia, as must be the equipment, although negotiations are being completed to permit the erection of a single unit of what will be an "American Model" apartment, in which American plumbing and other equipment will be utilized as an exhibit and educational object lesson.

Some of the American methods of economy have already elicited warm approval from the Russian authorities. One of these is the reduction in the thickness of the walls of the apartment houses. The plans drawn by Russian architects call for very thick walls in accordance with the custom of the country where, due to the rigor of the Soviet Winter, thick walls are deemed necessary to keep out the cold.

The authorities, however, have consented to a modification of the plan which will permit walls of very much less thickness by the liberal use of asbestos and other insulating material, it having been demonstrated to the authorities that the cold can be kept out more effectively by this method and at a lower cost.

The apartments being constructed are of brick, 6 stories in height, with automatic elevators, steam heat, and other modern improvements,

similar in many respects to the standard 6-story apartment houses to be found in New York City.

This attempt at Americanizing Russia, insofar as its housing facilities are concerned, will be watched with great interest.

## STANDARDIZED DWELLINGS IN GERMANY

Germany, with an estimated shortage of a million dwellings, is hard put to it to deal with her situation. Notwithstanding the fact that about 300,000 new dwellings (apartments) were built in 1927, she is not catching up with her accumulated arrears, because two-thirds of these are required to meet the normal yearly increase of population and to replace old houses that have become uninhabitable.

If Germany could produce 400,000 new apartments every year the housing shortage would be caught up with in a comparatively short time. As it is, however, the shortage continues to exist, due very largely to the fact that, because of the active part that the Government has played in the situation, private enterprise has been practically driven from the field.

One result of this situation is that the average German citizen today is forced to spend one-third of his total income on rent—a very disproportionate amount.

One consequence of the entry of the Government so actively into the business of providing houses for the German people, has been the standardization of the types of houses built and the construction of whole “settlements” in a short period, all very much alike in appearance—just as in England one notices the “Council houses”, very similar in style in every part of that country.

Due largely to the granting of great subsidies by the Government from funds obtained through heavy taxes from rentals on existing buildings, amounting to the large figure of some 2 billion marks a year, there has been brought about a degree of cooperation in the various localities that did not exist before the War. Substantial financial groups, Building Associations and building concerns have all taken part in this, with the result that thousands of dwellings of the same size and very similar in pattern are now going up where formerly only detached houses were built, each one built according to the plans of this or that architect and thus having its own character.

The architects' task today consists less in giving form to the exteriors of houses, than it does in the harmonious grouping of various blocks of houses, in forming characteristic streets, in differentiating their character and relieving these settlements from monotony



as much as possible. In other words, the architects' task has become more a city planning problem than an architectural one.

The new houses under the necessity of keeping down costs—have necessarily expressed this. The exteriors of the buildings are much simpler and there is a notable absence of ornament. As in other countries, there is a very marked reduction in the size of the rooms, compared with rooms in pre-War dwellings. Before the War German apartments were much larger than similar apartments in Holland and in America. Today the minimum floor space for the smallest flat averages about 500 square feet. Assuming this apartment to be a 3-room apartment this would give an average of 162 square feet per room, which would still give rooms of generous size. Of course, if the apartments were of 4 or 5 rooms this room size would be materially reduced.

One of the by-products of the necessity to reduce cost has been the effort to standardize both buildings and parts of buildings so far as may be feasible. An Association for the Study of Economical Building has been formed in Germany and performs an important work in testing standardized building parts and new methods. Standardized windows, doors and other parts are now employed almost exclusively in the building of small dwellings in that country and this standardization is being extended and making headway with reference to other parts of the buildings process.

When it comes to the utilities in these housing schemes, it is obvious with houses of the same depth, on lots the same size, with lots of a uniform and standardized dimension resulting in streets of a similar standardized width and dimension, that the utilities can similarly be standardized and thus great savings result.

While in the rural districts the one-family detached house, or semi-detached house, is the prevailing type, in the settlements in the large cities and in the outskirts of cities where new houses are frequently built by the thousands, all according to a very similar plan, the type of dwelling erected is an apartment house of from 3 to 5 stories.

One very notable advance that has been made in these buildings is the doing away with rear buildings and also with the extensions or wings that were common in English housing before the War and which spoiled the Philadelphia small house. The return to the house two rooms deep without these objectionable extensions or wings marks a very great advance in the development of housing in Germany, as it has in other countries. Here undoubtedly the splendid object lesson set by England since the War has had its effect.

In addition to this marked improvement in the character and design of the buildings themselves the new houses are invariably accom-

panied by large gardens and parks created for the benefit of the dwellers in the new developments, thus insuring plenty of light and air in both the front and the back rooms—a very great advance over old conditions. The new houses are required to conform to modern hygienic standards, as the Government holds the whip hand through the subsidy. In all the newer 3-room and 4-room apartments there is a bath room for each family and the smaller apartment have at least a common wash room and bath room in connection with a central heating system.

How wholesale these developments have been, and how mass production has prevailed is evidenced by a settlement on the outskirts of Berlin at Berlin-Britz. Here extensive tracts of land near the city were purchased by the big building concerns and built up along uniform lines; one settlement constructed in rapid time contains 2,000 3-story houses built in rows. Notwithstanding this wholesale method of development, it is reported that the settlement as a result of the skill with which the scheme has been designed is not monotonous and has a charm of its own and can be regarded as satisfactory from the point of view of city planning.

Somewhat similar developments in which great simplicity marks the facades of the houses to be found in a large development at Frankfort-on-Main, at Bruchfeldstrasse. This was built by a firm of builders, the first big concern in Germany to adopt the idea of steel skeleton construction and to carry it out on a large scale. The outer masonry work of the houses is of pumice stone.

One thing is certain that if one desires to study new building methods and the adoption of new materials in connection with mass production there is probably no place better than Germany in which to study these aspects of housing at the present time.

While some of the houses are freaks and unpleasant in appearance, the new methods may be summed up as a practical object lesson of the ideas of a mechanistic age. It is not without significance that the projectors of these houses refer to them not as houses but as "dwelling machines".

One result of this experimentation in new materials is a great Building Exposition which is to be held in Berlin in 1930—a vast undertaking which it is said will dominate the whole building world of Germany for the next 2 years and will determine the development of German building methods for the immediate future.

This Exposition will show all the advances and successes of modern building technique and will also give the rest of the world an idea of



what form the construction of dwelling houses will assume in the coming decade, as well as show the results of all experiments in this line and how new and approved building methods have become realities.

## IRELAND'S HOUSING PROBLEM

For the past four years the Housing Council of the Civics Institute of Ireland has been considering the problem of the provision of working class houses and has recently elaborated a definite programme for dealing with this important question. Their proposals were discussed not long ago at a Conference to which various organizations in Ireland, representing builders, trade union groups, architects, civil engineers, public utility societies and political parties were invited. The chief proposal presented in the Report of the Housing Council and considered at this Conference was the formation of a National Housing Board as a permanent part of the Government to take the place of the present Sub-Department of the Ministry for Local Government and Public Health, with its scope greatly widened.

The proposed National Housing Board would exercise all the powers of the existing Department with additional powers to be given it. Its duties would be to stimulate and coordinate the work of house building generally, particularly houses for the working classes, under a continuous housing programme which the Housing Council has proposed.

The Board is also to have authority over Town Planning, insofar as this affects housing, especially controlling the planning design and the density per acre of new houses, the provision of adequate open spaces in and near urban areas, and the width and direction of new streets.

Another of the principal proposals elaborated by the Housing Council is a scheme for long-term loans by the Government to local authorities and public utility societies. The proposal contemplates that the scale of loans sanctioned by the British Government for housing schemes, viz., on land for a period of 80 years, on buildings for a period of 60 years, on sewers for 30 years and roads for 20 years, shall be adopted by the Irish Government.

The Report lays considerable stress upon the importance of there being a well rounded definitely laid down comprehensive building programme and points out that only when the requirements in labor and materials are known and assured, will it be possible for materials to be organized cheaply and on a large scale, and for Labor to give of its best, uninfluenced by the constant dread of unemployment.

If a system of subsidy is to be undertaken, the Report urges most strongly that the local authorities should maintain an agreed minimum of building construction, that the prices in each authority's area or district shall be maintained at a reasonable level with regard to the country as a whole, taking local considerations into account and that these matters should be subject to review by the Government every 3 years.

From which it would seem that Ireland, as well as England, has its housing problems; though, compared with England, they are on so small a scale as to make their solution comparatively simple.

## THE HOUSING SHORTAGE IN JAPAN

The City of Osaka, Japan, with a population of 2,260,000, covering an area of 70 square miles, has, like other great centers of population, felt the effects of the housing shortage resulting from the late War. According to a report made recently by H. Seki, the Mayor of Osaka, a number of dwelling houses were built by the municipality shortly after the War to meet this shortage. Up to the present time 1561 houses of different sizes have been constructed, to be rented to people at low rents. In addition to these houses built for rental, 322 houses were built to be sold to the occupiers, to be paid for by them on the monthly installment plan. These latter have been so successful that the local authorities have recently decided to build 136 additional houses to help citizens own their own homes. The money invested by the city in this enterprise amounts to 3,750,000 *yen*.\*

The monthly rents range from 4.80 *yen* to 41 *yen* a house. As the rents are very moderate and the houses are new and clean there are many applicants on the waiting list.

Owing to a recent acute business depression, the number of vacant houses in the city is steadily increasing, but at the same time there are also a great many persons who are seeking homes. This apparent contradiction of an over-supply of houses along with an over-demand for houses is explained by Mr. Seki as being due to the exorbitant rents demanded by landlords. In order to deal with the situation the municipal authorities are also acting as house agents and are letting rooms at reasonable terms.

In addition to providing homes for families, the city authorities have also caused to be erected a number of hotels or lodging houses for unmarried laborers, who otherwise would have to pass the night at dirty joss houses or lodging houses in slum districts. The city has

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\* *Yen* = 49.8¢ at par.



5 such hotels at present; 3 of these are 3-story reenforced concrete buildings, and the number of lodgers averages about 400,000 a year. The charge per night is from 13 *sen*\* to 17 *sen* a night, with bath. If the lodgers take their meals at the dining room which is located in these buildings, they can live for as little as 55 *sen* to 59 *sen* a day. It is reported that they are encouraged to save from their earnings and that cultural and recreational opportunities are provided for them.

In addition to these hotels for laborers, there are also hotels or boarding houses where unmarried city officials, students, school teachers, bank clerks and others are accommodated.

In addition to its housing activities, the city of Osaka has since 1917 taken up the question of city planning. In that year a City Improvement Committee was appointed and a survey of the city was made. This was the beginning of the city planning movement in Osaka. The area involved covers 85 square miles, with the city of Osaka as its center and is already zoned into residence, commercial and industrial zones. The residence zone occupies 34.1% of the region, the commercial district 11% and the industrial district 30.2%, leaving an area of 24.7% for future subdivision. In addition to that, several parts of the city are set off as fireproof districts, within which wooden buildings are not permitted.

The problem as stated in Mr. Seki's Report is to widen narrow streets that are main highways, improve them and bring them up to modern conditions, rebuild a number of bridges, construct auxiliary streets, to improve rivers, construct canals and railways, and establish a proper sewage system, lay out parks, squares and playgrounds and enlarge the existing ones.

It is expected to spend on these public improvements in the period from 1925 to 1933 the sum of 254,500,000 *yen*.

From all of which it would seem that the East is rapidly becoming modernized.

## HOME FINANCING IN NEW SOUTH WALES

At the close of the War the Federal Government in New South Wales, in 1919, established a special Housing Commission called the War Service Homes Commission, the purpose of which was to provide houses for returned soldiers who were married, or were about to be married, or had dependents for whom it was necessary to provide a home.

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\* *Sen* =  $\frac{1}{2}$  cent at par.

J. C. Morrell, the Australian town planner, previously located at Melbourne was put in charge of the work, as Inspector General of the work for the Commonwealth, and later in charge of all public works in the state of New South Wales. Up to June 1927, the War Service Homes Commission had built approximately 17,000 houses and purchased or discharged mortgages on 14,000 others, making a total number of approximately 30,000 houses provided for returned soldiers. The scheme is still in operation.

In 1914 the Government Savings Bank of New South Wales established an "Advances for Homes" Department and a year ago Mr. Morrell was put in charge of this work, due undoubtedly to his successful administration of the War Service Homes Commission work.

About 2 years ago the Federal government decided to make the sum of £20,000,000 available to enable persons of moderate means to own their own homes. In Mr. Morrell's opinion, this determination was largely influenced by the success of the War Service Homes Commission work and also by the fact that many thousands of people were purchasing homes, but were not making any advance toward completion of the purchase—the majority of them having paid deposits up to £100, but owing to excessive interest charges, particularly with regard to second mortgages, had got no further than paying interest on the money borrowed and fees for renewal of the mortgage.

Consequently, a Federal Act was passed enabling the Commonwealth Savings Bank to advance moneys to the State Savings Banks of the various states throughout the Commonwealth; and the State Government in turn passed legislation enabling the State Government Savings Banks to obtain loans from the Commonwealth Bank. Thus, a fund of £20,000,000 was made available for encouraging home ownership.

How extensive this work has been is evidenced by the fact that on June 30th, 1928 there had been advanced a total of £14,275,560 (roughly \$70,000,000) to 26,973 borrowers. At that date 20,546 loans totalling £10,431,837 were outstanding.

The total losses incurred to January 1, 1928, were only £2,527, or less than 5 pence to the £100, or about 10 cents in each \$500. A substantial reserve fund represents net profits.

The money advanced is advanced on a deposit of 25% of the purchase price of the home, the applicants making their own arrangements with contractors for the construction of the house, and the banks financing up to 75% of the total cost of the development at the bank's valuation.



Under the provisions of the Housing Act, which became effective November, 1928, the bank is now empowered to enter into a contract for the building of a home on the basis of advancing 90% of the total estimated value. This means that a home purchaser has only to advance 10% of the capital cost, and is able to borrow the remaining funds from a Government bank.

In order to carry out the true purposes of this scheme a top limit is put upon the value of houses on which the Government makes such loans; only houses which do not cost more than £1200 each come within the scheme. On houses costing more than that the applicants make their own arrangements with outside practicing architects. The present interest rate is 6%. Loans are limited to new homes, the plans, materials and construction of which must be approved by the Bank.

In order to make it possible for the bank to supervise the details of construction and place the scheme on a sound basis, the area within which the scheme operates has been very wisely limited to the Greater Sydney Metropolitan area, having a radius from the center of the city of approximately 25 miles. Outside of that territory, supervision throughout the rest of the state of New South Wales is entrusted to practicing country architects located at the principal centers of population, who carry out the work of supervision under an agreement with the bank, and who are remunerated for their services on a basis of 3% of the total contract price. The state of New South Wales has been divided into 17 districts for these purposes and each district is controlled by a country architect. It is expected that this method of administration will prove of great advantage to rural applicants who have a personal knowledge of the supervising architects concerned, and these generally, in their turn, can advise the central office in regard to local conditions, requirements, building materials, cost, etc.

Inasmuch as no houses had been constructed it was felt to be necessary to prepare suitable plans and designs to meet the various climatic conditions and the anticipated personal requirements of the various applicants throughout different parts of the State. Consequently, the Bank has prepared and issued an attractive 40-page book of architects' drawings and floor plans for bungalows containing 4 to 6 rooms and bath and usually one or two porches.

According to Mr. Morrell the bungalow is the only type of small house that finds favor in Australia, the average Australian being very averse to living in a 2-story building, and is prepared even to pay an additional cost of construction to have all his rooms on one floor. The custom is of very old standing and 90% of small residences are of this type with the rooms all grouped on one floor.

In addition to this booklet of floor plans, the Bank has also issued a booklet of information with regard to the eligibility of applicants and the conditions on which loans are granted. The estimated cost of any dwelling shown in the plan book is given on request for any specified locality, the costs naturally varying in different parts of the state.

It is expected that the expenditures under this scheme will amount to £2,000,000 annually.

## IN SOUTH AFRICA

There has been considerable improvement in the housing situation in South Africa, so far as the shortage of housing accommodations, is concerned during the past 10 years. The average number of occupants per dwelling has fallen from 5.08 to 4.89 and the total number of private dwellings occupied by Europeans in all urban areas, was approximately 171,000 in 1927 as compared with 135,000 in 1921 and 125,000 in 1918. There has been a very distinct increase in home ownership during this period—the number of dwellings occupied by the owner having increased from 35.7% in 1918 to 45.9% in 1926.

These improvements in the housing situation are very largely to be credited to the operations of a central Housing Board, whose activities are to be continued for the next few years. For this purpose the Government has made provision for further loans under the Housing Act, amounting to £1,000,000 to be spread over a period of 4 years, beginning April 1, 1928.

It is estimated that with the repayments on existing loans there will become available for loans, an annual amount of at least £300,000 to be devoted to housing purposes in the next few years.

According to an announcement made by the Minister of Public Health this is about all that can be used with benefit and without increasing costs. He states that the new loans will be at 5% interest and will be used for assisting in the building of houses for the poorer classes, and chiefly with a view to the amelioration of slum conditions.

These sums will be loaned both to the local authorities and to private individuals, though local authorities will receive preference in those areas in which there is the most urgent need for better housing facilities.

## NO END OF RENT RESTRICTION IN SIGHT IN ENGLAND

England is very much in the position of the man who couldn't let go the bull's tail. The various Governments that have been in power



since the War have been anxious, in recent years especially, to bring about an end of control of rents, recognizing that this form of interference with the workings of economic law are disadvantageous to any country. But no Government has been strong enough to cut the Gordian knot.

In the General Election in England last Spring Stanley Baldwin, at that time Prime Minister and leader of the Conservative Party, in an election address speaking of Rent Restriction, said that although the continuance of these acts in their present form had created hardships for certain owners of small houses, the protection afforded by them to tenants will not be removed until the shortage of houses has been sufficiently overcome to warrant such a course.

It is interesting and significant that the Rent Restriction Acts which when originally passed were intended to give relief to tenants who would occupy houses that rented at small rents, have gradually been extended until now the principal Act embraces houses where the annual amount of the standard rent, in London amounts to £105 a year, in Scotland to £90 and elsewhere throughout England to £78. Houses that rent at such rates in England have no connection with "working class houses" as known in that country.

As generally happens, the English Rent Acts have been extended to a scale never contemplated when they were first introduced and are today the cause of endless litigation; and in some cases lend themselves to abuse enabling a certain class of tenants to make profits to the detriment both of their landlords and the tenants they sub-let portions of the houses to.

With the advent of the new Labor Government there is little likelihood that the Rent Restriction Laws will be brought to an end. On the contrary, the tendency is apt to be all in the other direction.

That England needs to get rid of these artificial interferences with the ordinary economic life of the country, is quite evident to students of present day conditions.

## SIX MONTHS MORE OF RENT CONTROL IN ITALY

Rent Control in Italy comes to an end next June when the last remaining restrictions will be completely abolished and landlords will be left free, within certain limits, to charge any rents they please for their houses. The intense building activity of the last few years has so increased the number of available houses that a housing shortage no longer exists, the proportion between supply and demand having reached a practically normal state.

It is expected that with the end of Rent Control next June there will be a certain amount of hardship and inconvenience until the country gets adjusted to the new state of affairs. It will certainly cause a certain amount of dislocation. Many tenants who by virtue of the rent restrictions have been paying exaggeratedly low rents for their homes will be obliged to pay either higher rents or leave. Even though rent control is to end, the Government will still possess the power to intervene in all instances where landlords attempt to squeeze the tenants too far.

We predict that the readjustment will be made in Italy very easily, as it has elsewhere, and that the country will benefit by this return to conditions of normal living.

### GRADUAL DE-CONTROL OF RENTS IN GERMANY

Recent dispatches from Germany indicate that in Prussia, at least, under revised rent laws made effective on July 1st last, gradual de-control of rents, and—more important—the end of rationing of dwellings is taking place. Under the earlier law, namely that of 1926, certain so-called “expensive” dwellings were exempted from “requisition and allotment” by the housing officials. This class has now been extended to cover certain other groups of dwellings with lower rents than those fixed by the order of November 1st, 1926.

In addition, the rentals subject to control have been revised. Instead of a rental of 3,000 marks, the maximum heretofore controlled in Berlin, this has now been reduced to 2,400 marks, and the maximum of 500 marks subject to control in the smaller centers has been reduced to 400 marks.

Although the laws forbidding eviction of tenants without permission of the officials are still retained, eviction may be had only upon certain grounds set forth in the law.

Another change in the direction of gradual de-control of rents is in the entire exemption of all rent-control legislation in municipalities having less than 8,000 inhabitants. Until recently, that exemption had applied only to municipalities having less than 4,000 inhabitants.

It is thus evident that the policy of the Government is to gradually bring about de-control of rents. In this respect Germany is following along the footsteps of practically all the nations of Europe that imposed rent control as a consequence of the War. Most of them have by this time gotten free from this incubus.



## HOUSING AS A "QUASI-PUBLIC UTILITY"

### CONTROL OF RENTS IN NEW YORK

We live and learn. Now housing has been declared by a judge in New York City to be a "quasi-public utility"—whatever that means. It is true that the decision in which this pronouncement was made is only the decision of the lowest civil court, the Municipal Court, and has little controlling effect upon the ultimate interpretation of the law in the event that some landlord desires to test the rent laws recently enacted by the New York Municipal legislature.

In our last issue\* we reported the effort made by the public authorities in New York City to continue rent control for another year in those buildings where the average rent does not exceed \$15 a month per room. We pointed out then that the enactment by the Municipal Assembly of this rent control law, after the legislature had allowed the rent control laws that had been on the statute books for over 7 years to come to an end, was very largely influenced by the existence of a "political emergency"—a political campaign and a municipal election then impending.

In passing upon the new law, Justice Fontanelli delivered himself at considerable length, for a Municipal Court judge, of an opinion, the gist of which was that an emergency existed, that the elective legislative body of the city of New York "whose members are most intimately acquainted with the housing conditions of their local constituents" were in the best position to know whether emergency legislation was necessary or not. The language of the court would seem to indicate that he realized fully their expert qualifications to determine political emergencies, at any rate. The court then goes on to hand down an opinion to the effect that "a landlord is the possessor of a 'quasi-public utility,' which affects the very life, safety and health of the tenant with whom he contracts". Just what a "quasi-public utility" is the court fails to state. He would certainly have enlightened the community and added to the pleasures of jurisprudence if he had done so.

The satisfaction which those who believe in permanent control of rents by Government may have received from this decision was a short-lived one. For, very recently, following this decision by only a few weeks the appellate court—in this case the Appellate Term of the Supreme Court—handed down a decision in another case holding that the law controlling rents passed last summer by the New York Municipal Assembly was unconstitutional and void.

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\* "Housing", Sept., 1929, p. 187.

Supreme Court Justice Bijur sitting with two of his associates, Justices Lydon and Callahan, as an appellate part of the court to hear appeals from the Municipal Court in civil cases, after pointing out the kinds of things which under a recent decision of the Court of Appeals are within the power of the Municipal Assembly to regulate and control under the Home Rule Powers of the Constitution, has the following to say with regard to this particular attempt to control rents:

#### AN INTERFERENCE WITH THE RIGHT OF PRIVATE CONTRACT

It is scarcely necessary to go beyond this point to compel the conclusion that the local law under consideration is without validity. The relation of landlord and tenant is plainly contractual and the attempt to interfere between them after the amount of rental has been agreed upon and base it upon what the court may deem just and reasonable is clearly a measure which alters the very essence of contract.

Moreover, the attempt to change the operation of summary proceedings (Civil Practice Act, Sections 1410-1447) is an interference with the remedies and procedure provided by the legislature for the entire state. Incidentally, it may be said that the legislation covering this subject dates back to 1820 (see *Reich v. Cochran*, 201 N. Y. 450).

As legislation of the type here under consideration has been expressly cited by the Court of Appeals as an example of matters of exclusively State concern, it is unnecessary to discuss other points urged upon our attention by counsel for the appellant.

While this decision hinges largely on the question of the power of the local legislative body in New York City to enact laws controlling rents under the provisions of the New York State Constitution and the statutes enacted under it dealing with the powers of municipalities, at the same time, it should be noted that the decision goes to the very heart of the principle of attempting to control rents by law, and holds such effort to be void as an interference with the right of private contract.

In this connection it is not inappropriate to recall that the decision of the United States Supreme Court which sustained the "emergency" rent laws enacted during the War was based solely upon the statement that those statutes dealt with an emergency. That court made it very plain in its decision that it would not sustain such a statute in the absence of an emergency.

It is reported that the decision of the Appellate Term will, in all probability, be taken to the court of last resort, the Court of Appeals—which is as it should be. So important a matter should not be determined by any but the highest court.



In the meantime, various tenants' organizations have served notice that they will seek further legislation at the coming session of the legislature restoring the rent laws to the statute books.

This is not surprising; for there are a considerable number of people who believe in permanent control of rents by Government. That such a system is, however, foreign to American institutions and incompatible with democratic forms of government can hardly be gainsaid; nor is there much likelihood of our courts sustaining such enactments, except in the presence of such an emergency as existed during the War.

## ANNUAL INVENTORIES OF HOUSING NEEDS

Organized real estate interests have frequently been urged in these columns to take an accurate account of stock of their housing needs through the medium of annual surveys of vacancies and shortages. The National Association of Real Estate Boards, which has been largely responsible for the extension of this movement, has at the present time a record of 21 Vacancy Surveys made by its member boards during the present year. Since 1927, 92 local real estate boards have made such surveys, as the most authentic method of determining real estate conditions in their communities.

A pioneer in this movement has been the Utica Real Estate Board of New York which has recently completed its 9th Annual Vacancy Survey, showing the number and type of all vacant houses and apartments and ascertaining the need for and extent of house building in that city. In making this survey the Utica realtors obtained summary statements from local banks showing the amount of mortgage money loaned on real estate. The city was divided into 7 districts and each district was canvassed and reports were made. In these reports were included every vacant house listed under the type of dwelling to which it belonged. New houses under construction were also listed and the valuations of these new houses were given. The Report also included figures on the number of building permits issued. In addition to presenting the facts for the current year the Report contains a comparison of vacancies in Utica for every year since 1921, when the first Vacancy Survey was undertaken.

The Columbus, Ohio, Real Estate Board has recently completed its Sixth Annual Real Estate Survey made with the cooperation of local Building and Loan Associations, Home Building Associations and the Builders and Traders' Exchange. The city was divided into 97 districts for the purpose of the survey, which has recently been published

together with a map showing the various divisions, and each district was allotted to two realtors who canvassed both vacant and occupied living units. Property not livable was omitted in the data of the completed survey. In this particular instance it was found that the lowest percentage of vacancies 2.6%, was in single homes valued from \$5,000 to \$10,000. The next lowest vacancy was found in single unit homes valued above \$10,000; in this class of dwellings there were vacancies of 2.8%.

It is distinctly interesting to housing reformers to learn that in the so-called "efficiency" apartments—those "Box and Cox" arrangements by which by a feat of legerdemain 1-room apartments are turned into 2-room apartments and folding beds are pulled down out of mantelpieces, book cases and other articles of furniture—a class of living accommodations execrated by housing reformers for many years, the highest percentage of vacancies was found in any class, amounting to 18.1%.

In rows of flats renting for more than \$65 a month were found the lowest percentage of vacancies except in duplex houses valued above \$6,000. Reports from the local real estate boards state that the actual total time consumed in surveying the 97 districts, with 2 men to each district, was 2,400 hours.

In addition to Utica in the far East, Jacksonville in the South and Columbus in the Middle West making these surveys, Evanston near Chicago has recently made a similar survey, as has Portland, Oregon in the far West. At the present time the Portland Survey has not been completed. The methods employed are very similar to those employed in the cities that we have already reported on. Here city property is being classified as residential, business, industrial, apartment house sites and farm lands. When the survey is completed the Portland realtors plan to establish a free advisory service available for giving a carefully conceived opinion based on the information gathered in the survey regarding the use to which property is best adapted. The aim of the advisory service is to encourage wise investment and discourage ill-advised undertakings in real estate. One result which it is hoped will flow from this survey is a movement for rehabilitation of certain "blighted districts" in that city.

In addition to these surveys the Real Estate Board of Kansas City, Missouri and the Minneapolis Real Estate Board are undertaking similar surveys while the State Association of Real Estate Boards in Ohio has started a movement to have such data collected for all Ohio cities according to a uniform plan, so that vacancy surveys throughout



that state may be coordinated. Already, 15 Ohio cities have completed such surveys.

From all of which it would seem that the organized realtors of the country are taking the guess out of the real estate business and getting down to brass tacks—a situation not only greatly to the advantage of real estate throughout the country, but an important adjunct to the housing and zoning movements.

## PRESENT TRENDS IN THE AMERICAN HOME

Present tendencies in small house construction have recently been the subject of inquiry by the Division of Building and Housing of the U. S. Department of Commerce.

A small-house survey covered typical details of construction and equipment in small dwellings in 38 cities of the United States, with exact summaries on these details for 31 cities. It is the basis of a report to be published later.

In this systematic study of recent trends in small-dwelling construction in cities well distributed over the United States, data were obtained on approximately 400 details of construction and equipment to indicate trends in dwelling-house style, installation of improvements and conveniences, room sizes, ceiling heights, and materials used for frame and finish.

In releasing the findings from the survey the Division of Building and Housing makes no claim that it portrays average conditions throughout the country.

A great variety in types of architecture was found—with the English house very popular. Thirty-four (34) houses of this type were included in the list. Forty-nine (49) houses were capable of no exact classification as to type of architecture; 12 were Spanish; 11 Colonials were in the list, and it is surprising to note that only 3 of these were Dutch Colonial, which would not correspond with conditions a few years ago.

Of 106 single houses, 54 were one-story bungalows, 10 were story-and-a-half bungalows, and 40 were two-story houses. Two contained two and a half stories.

On bungalows the most common number of rooms were five on the first floor; and the greater part of the group were in the classification between four and a half and five and a half rooms. For two-story houses the most common type were three rooms on each floor. In counting the rooms, a separate breakfast room has been counted as half a room.

The average total price of 69 detached houses for which this figure was available, was \$9,478. The average lot price for the group was \$2,016, making an average percentage of lot price to the whole of 21.3. Individual cases vary greatly from this average, but the average of individual percentage of lot value to total value checks the figure very closely. The average lot width for 81 detached houses was 49.3 feet, and the average depth 132 feet, the most common dimension being 50 feet for width and between 120 and 130 feet for depth.

Bungalow prices were lower and showed a smaller range in price than two-story houses, the average price of 33 bungalows without lots being \$5,028. For five-room bungalows this average was \$5,176, while for the typical six-room two-story house the average price was \$6,744, without land.

The average house width for all detached houses, including porches, was 31.1 feet. Subtracting this from the average lot width of 49.3 feet leaves an average clear space of about 18 feet. Individual percentages check this figure very closely. The average setback of detached houses was 27.1 feet, and the most common street width was 50 feet. Only 28 per cent of the streets on which these representative moderate-priced houses were located were without paving, and the paving was usually paid for by the developer.

## MAKING THE SINGLE TAX HELP HOUSING

In the earlier days of the housing movement housing reformers were frequently somewhat embarrassed, and very often bored, by the efforts of ardent advocates of the so-called Single Tax—a theory of social and economic progress put forth in rather fascinating guise by the late Henry George—to capture the housing movement as a means of propaganda for their particular hobby. In those days we were importuned with much assiduity to devote a large part of our discussions of housing to the discussion of the Single Tax; the theory being that with the adoption of the Single Tax, viz. a tax on land values only, all social and economic evils would *ipso facto* come to an end, and, particularly among these, bad housing conditions.

In recent years the Single Tax champions have, we are glad to say, bestowed their attention elsewhere and have let the housing movement alone. The Single Tax movement thus far has had little appeal for the American people. One American city, however, a few years ago listened to the blandishments of the Single Tax advocates—that was the city of Pittsburgh, where a law was enacted, known as the Graded Tax Law. This provides in effect that land in that city shall



be taxed 100% of its assessed value and that buildings shall be taxed but 50% of their assessed value; the theory being that by the taxation of land values land will not be held out of use for the unearned increment, but will be put to use and with the greater supply of buildings thus resulting, housing conditions will right themselves.

How this graded Tax Law works in Pittsburgh we do not know; for, there has never been a careful appraisal of its workings.

Recently, John Ihlder, Executive Director of the Pittsburgh Housing Association, has made a novel suggestion to his Board that squarely raises the question of just how the Single Tax does work in practice, and what relation it has to housing in a given community.

Mr. Ihlder's proposal is that in order to secure greater open spaces around buildings and more light and air—which he rightly described as *the* fundamental factor in good housing—that an amendment to the Graded Tax Law be passed which shall provide that any person building a house who leaves on his property open space equal to or in excess of twice the open area required by the Zoning Code, shall be taxed on those open spaces as if they were part of the building, and not as if they were unoccupied land. This would mean that such unbuilt upon open spaces would be taxed at 50% of their assessed value and not at 100%.

In presenting this matter to his Board for consideration—we understand that the Board of the Pittsburgh Housing Association has as yet reached no decision on this recommendation—Mr. Ihlder has the following to say:

In one thing, Pittsburgh is different from other cities. It has a "graded tax" law which increases the tendency to overcrowd the land. Land is taxed on 100% of its valuation, a building on 50% of its valuation. Consequently, unoccupied lands seems to the owner an unwarranted expense. Observers have said that this has encouraged land overcrowding in Pittsburgh. Advocates of the graded tax minimize its effect. They say that the temptations to land overcrowding are so great that the added incentive given by the graded tax is inconsequential.

Arguing from the experience of the builders of Garden Apartments in New York and Chicago, who have found with the present high cost of building that it is profitable in such enterprises to leave a very large proportion of the land unbuilt upon, Mr. Ihlder argues that if a reduced cost of building inclines the owner to leave a greater proportion of his lot unbuilt upon, the greater tax on land as compared to that on buildings inclines him the other way, that he sees supposedly unproductive area as a sort of white elephant.

He points out that:

Laws restraining people from doing what they believe is to their economic interest are constantly subject to a sapping, an undermining attack. This attack will lose its vigor if it can be shown that individual economic interest runs *with* the public interest. The Pittsburgh graded tax law combined with the zoning code offers the opportunity.

Advocates of the graded tax have held that one of its virtues is that it lessens the possibility of holding large areas of land unimproved until increase of values due to population growth makes it possible to unload at a large profit. But these advocates have never advocated building the land up solidly. When confronted with the statement that their system stimulates land overcrowding, they answer that this can be prevented by the open space requirements of housing and zoning codes. Administrators of housing and zoning codes know the weakness of this defense. While levees are needed to hold the Mississippi to its channel, it is more constructive to find ways of reducing floods than it is to increase the floods and then build higher levees.

So if we decrease the penalty for keeping adequate open spaces, we shall reduce the danger that our defences will be undermined. And we can decrease the penalty by reducing the tax on desired open spaces.

These desired spaces should be regarded as a part of the building. Building codes, housing codes, zoning codes require certain definite open spaces because they are considered essential to the full usefulness of the building and to the health and well-being of the occupants of the building. These required open spaces are the very minimum. They are meant to stand the test of the courts, consequently they must leave no doubt as to their utter reasonableness.

What is here proposed is not a limitation on an owner's right to do what he will with his own property, but is an incentive to him to so develop his property as to serve the public interest as well as his own. Consequently, the measure may be more generous, a little more nearly adequate.

Mr. Ihlder concludes with the statement that this proposal will in no way diminish the pressure upon the holder of unimproved acreage, but will meet the argument of opponents of the graded tax that the graded tax is an incentive to land overcrowding.

We hope that the Pittsburgh Housing Association will approve Mr. Ihlder's suggestion and that the city of Pittsburgh will amend its graded tax law to carry out this idea, so that the rest of the country may see how it will work in practice.

The suggestion of differentiation in taxes to encourage buildings of a certain type is not a new one, though the particular form that this suggestion has taken is novel. Thirty years ago in New York City R. Fulton Cutting, one of New York's leading philanthropists and publicists, urged the de Forest Tenement House Commission, in order to encourage the building of houses of a better type with more open spaces, that so-called "model tenements" should be exempt from cer-



tain taxes—a suggestion which has been renewed in later years by other advocates of housing reform and has been carried into effect in recent years in New York City in the building of some model tenements where buildings built better than the law have been granted tax exemption for a number of years.

A somewhat similar suggestion was also made 30 years ago that, in order to prevent buildings of undue height, a punitive tax should be placed upon all buildings which exceeded a height that was held to be reasonable. This suggestion was never carried out. It is interesting and significant, however, to find it being renewed at the present time by real estate operators in New York who have themselves specialized in erecting buildings of very great height, and who now, apparently, find themselves “convicted of sin” and are advocating that as tall buildings encroach upon the light and air of neighboring property they should be made to pay for it by a special tax.

It is all probably very unsound from the point of view of tax experts to use the taxing power to bring about changes in social and economic conditions, but from the point of view of housing it is to be hoped that the Pittsburgh experiment will be carried a step farther along the lines that Mr. Ihlder has suggested.

### SALLY IN OUR ALLEY

It now seems likely that the Philadelphia alley problem may receive official recognition and become the concern of the city fathers. For over a century, court and alley living have been prevalent in Philadelphia—an undesirable type of housing which in recent years has been recognized and deplored, but tolerated.

The Mayor has unexpectedly awakened to the problem. After a laudatory address to a group of club women in which he exalted the Philadelphia dwelling, and asserted that every mother in Philadelphia has an ideal house in which to rear her children, he was challenged by Samuel S. Fleisher, founder and patron of the Graphic Sketch Club, a free art school famous for its cultural endeavors among residents of the congested areas, as to the accuracy of his picture of Philadelphia dwellings. The result was that he made Mr. Fleisher chairman of a Committee to analyze the factors detrimental to child life and welfare, and to suggest a practical programme to remove them.

The Committee turned to the Philadelphia Housing Association for data on the nature and extent of court and alley living, and requested the outline of a correctional programme. A subsequent report by the Association, accepted in toto by the Child Life and Welfare Committee, recommended the City to:

1. Condemn alley and court houses within strategic blocks where 40 to 50% of such houses lack street frontage, and dedicate the cleared land for playground and recreational purposes.

2. Condemn and clear narrow blocks where the houses lack yard space, and plant the sites in grass, shrubbery, and trees.

3. Open dead-end streets and widen streets now 8 to 10 or 14 feet in width so as to secure ventilation.

4. Assign the City Planning Commission, forthwith, the task of replanning congested areas so that future construction and reconstruction will conform to the new street layout.

5. Since neither demolition nor replanning would effect a complete improvement of all the old dwellings, and since housing for the majority of the residents of the congested districts has now assumed the importance of a public service function, organize a large holding company to take over such properties, much after the manner of Claude Leigh in London, in order to recondition and manage them as a public utility.

6. Strengthen the city inspection service by the appointment of additional inspectors; utilize to a greater extent the legal machinery for the compulsory improvement of subnormal properties; and educate the families throughout such areas, by instructive inspection in the proper use and care of their dwellings.

The Housing Association though unprepared for the awakened interest of the Mayor in the housing problem and the enthusiastic reception which its proposals received, both from the Mayor's Committee and from the Mayor himself, as well as from the general public, has naturally been deeply gratified.

Their proposals, together with others submitted by the Child Life and Welfare Committee, have been transmitted with the Mayor's endorsement to City Council, and the data accompanying them have already been used to support plans for physical changes in certain of the city areas.

Now the Mayor proclaims, "Under Mr. Fleisher's plan, with which I strongly concur, Old Philadelphia would be converted into a comfortable residential section for the plain people. Modern two-story homes would be erected on the sites where now stand dilapidated structures. The small courts and bandbox dwellings would be eliminated and this section, in which so many of our historic shrines are located, would be transformed into a residential part of our city."

Even more encouraging than the Mayor's praise is the fact that at the present time the engineers in the Bureau of Engineering and Surveys are at work on plans and maps visualizing the suggestions.

BERNARD J. NEWMAN  
Philadelphia



## BUYING HOMES BEYOND THEIR MEANS

Sheriff's sales of home owners' properties are reaching new high records in Philadelphia. The November list indexing the names of 1,185 defendants whose properties were to be auctioned for non-payment of taxes, interest on mortgages, and other similar causes, shows the inability of owners to meet the financial cost of carrying their properties. These figures do not mean 1,185 separate dwellings, as there are numerous instances of from 4 to 14 properties listed under the name of one defendant.

The total number listed for the first eleven months of 1929, is 10,888 as compared with 9,093 for the entire year of 1928. Ten years ago, the total sheriff's list for the year was 737. From 1920 to 1924, there was a gradual increase in the number of defendants. Since 1925, there has been a phenomenal increase until now it looks as if 1929 will record well over 12,000 property owners forced to let their holdings go at sheriff's auction. No stronger argument can be advanced against enforced home buying and the encouragement of the speculative fever in the ownership of properties than this extraordinary increase in foreclosures.

The large majority of properties on the sheriff's list are those of individual owners who were encouraged or forced to buy beyond their means during the high rental period, and who were charged exorbitant rates for the procurement of loans and the drawing of legal documents connected therewith, which put into the pockets of the brokers money which should have been conserved for payment on the property. But it is undoubtedly true that many purchasers complicated their problem by over-indulging in luxuries obtained on the installment plan, such as radios, motor cars, etc., thus loading themselves up with monthly payments, which, combined with the expense of carrying their properties, practically bankrupted them.

It is also true that the drop in the construction cost and sales price of new housing has brought many properties into the market equal if not superior to houses purchased 5 years ago at a cost of \$2,000 or \$3,000 in excess of present prices. Owners have thus seen equities wiped out by the recent completion of similar houses of lower price range and have become discouraged, persuading themselves that they could do better to sacrifice their present holdings and either rent or buy new dwellings. Two large real estate associations have appointed committees to confer with owners whose properties are jeopardized by sheriff's sale, to help them adjust their expenditures or re-finance

their properties in order to retain the equities they have already established in their dwellings.

It is equally true that the city government has been responsible in many cases for the inability of home owners to meet their interest payments, in that at the time these buyers purchased their homes, builders caused their houses to be over-assessed so as to have a sales argument for asking high prices, thus making the taxes excessive.

However, important as these reasons are for this abnormal Sheriff's List, the first mortgage holders cannot be relieved from blame in the calling in of outstanding mortgages. Influenced by the high rate of call money and unwilling to forego such profit in order to stabilize the more permanent mortgage money market, they have been requiring owners to reduce the size of their first mortgages as a condition of renewal. Unable to meet this situation, which also required the payment of re-financing charges, many owners have let their properties go.

The trust companies are further complicating the home owning situation by exhibiting an unwillingness to make customary loans to Building and Loan Associations up to what has hitherto been the practice, namely, 25% of their assets. This is retarding normal sales and forcing Building and Loan Associations to over-emphasize the equity and under-emphasize the security inherent in the honesty and character of many non-speculative buyers. It is no wonder, therefore, that the deeds recorded during September were the fewest since 1922, a decrease of 17% from the previous month, and 14% for the same month of last year, while the value of recorded mortgages was the smallest total for 6 years, having declined over 50% in the past month.

The situation is so serious that prominent real estate men are now endeavoring to establish a moratorium to check further foreclosures. The Real Estate Board has called together representatives of the trust companies who are the largest holders of first mortgages, to help to work out a programme to effect an extension of expiring mortgages without demanding, as they have been doing, a reduction of the principal. Thirty-one (31) representatives of banking institutions attended a meeting on October 25th, and already 12 trust companies have agreed to suspend demands for payments on maturing first mortgages for a period of 6 months, except in the case of irresponsible mortgagors. One trust company aptly expresses the situation as follows:

We particularly subscribe to the plan of deferring the call of any mortgages or installment payments for a period of 6 months from this time. It is our opinion this should have a very favorable effect on the mortgage business as a whole and particularly in view of the average individual's need of more, rather than less money, at the present time.

It is apparent that faulty practices in stimulating real estate sales tend to create a sluggish market, destroy the confidence of prospective buyers, and cost those who buy beyond their means irrecoverable losses.

BERNARD J. NEWMAN  
Philadelphia

## 26-STORY APARTMENTS IN PHILADELPHIA

An outstanding illustration of decentralization of industry has recently been brought to the attention of the people of Philadelphia through the completion of the transfer of the plant of the Baldwin Locomotive Company from a location near the center of the city, to a new plant 11 miles south of the city on the Delaware River.

An interesting consequence of this movement away from high land values is shown in the proposed use of these vacated sites. One builder has taken over the 1200-foot frontage of that part of the old plant facing Fairmount Park, and proposes to create a new apartment house center. The first unit, on which construction will begin shortly, is a 26-story twin-tower structure of 3200 rooms, having a frontage of 507 feet on the Parkway. Additional units will follow and the whole, when completed, will be in harmony with a design by Paul N. Cret, after the manner of the boulevards near the Bois de Boulogne in Paris.

These improvements to the former Baldwin property will be made possible by the plan of the city to build a street over the existing tracks of the Reading Railroad, now depressed below the street level, thus extending the Parkway on the line of the present Pennsylvania Avenue. This will give a vista in keeping with Parkway development on which in preceding years the city has spent approximately \$20,000,000 in condemnation and construction costs, and other millions, trebling original costs, in public buildings and monumental private structures.

If successful, this venture will undoubtedly lead to a reconstruction programme throughout the section adjacent to Fairmount Park, and further expedite the departure, already well under way, from the single-family dwelling, which has long been the prevailing type in Philadelphia, to the apartment type.

BERNARD J. NEWMAN  
Philadelphia



# GOVERNMENT HOUSING IN PRACTICE

## TAX DODGING IN PHILADELPHIA

Problems arising out of the government experiment in housing have not been eliminated, though more than a decade has passed since the war emergency brought the government into the dwelling construction field. Dwellings built in South Philadelphia by the United States Housing Corporation for Navy Yard employees, and later sold on the installment plan to private owners, are still causing dispute over non-payment of city taxes.

At the close of the war, the city sought to levy taxes on these properties and it became a moot question as to whether the houses belonged to the buyers or the Government prior to final payment. The United States Housing Corporation held that title was vested in the Government, and the buyers refused to pay installments due on the houses pending settlement of the issue. Congressional action in 1923 finally decided the question of ownership. Clear title was given to the buyers, and tax rights were ceded to the city. But the question of responsibility for city taxes unpaid since the controversy began in 1919, was left unsolved.

The purchasers of the houses maintained that since title was vested in the Government during the period of payment, the properties were free from local taxes. The City, on the other hand, holding that the properties were taxable throughout the period of dispute, finally offered to compromise by granting tax exemption from 1919 to 1923 inclusive, and agreeing to cancel all fines and interest charges accruing through the entire period of the dispute up to and including 1929, provided that the owners pay their taxes in full for the period from 1924 to 1929, when title was vested in them. The owners through their organization, the Home Protective Association, rejected this plan and at the present time there is a suit pending in the Common Pleas Court to determine the legality of the taxes. And there the matter stands.

It thus appears that when Government enters the housing field there are many problems, not only in the erection of dwellings but in their disposal, that create friction and call for specific legislation of an eleemosynary character.

BERNARD J. NEWMAN  
Philadelphia

## HOUSING EFFORT IN PHILADELPHIA\*

Nearly 40,000 bad housing conditions have been reported to the city authorities by the inspectors of the Philadelphia Housing Association during the past 5 years, according to the Report of that body for 1928 made by Bernard J. Newman. About one-half of this number related to plumbing and drainage complaints. "It is shocking to see" the Report relates, "the figure of 2,393 complaints regarding privy vaults and 6,461 against defective water closets."

After stating that the Association during the year 1928 made over 21,000 inspections involving 7,003 complaints and 2,218 recomplaints of violations not remedied, the Report raises some pertinent questions, in the minds of citizens. Why does a private agency carry on such an extensive inspection service and are there not responsible city bureaus to investigate and abate illegal housing conditions? Why have the great majority of tenants stated that they made repeated complaints to the city officials but conditions have not been corrected and that the Association's inspectors were the first on the job? Why is it that the Association finds it necessary to refile complaints of conditions which remain uncorrected? The answer is that the City is not doing its job.

This has been brought out repeatedly in the Association's studies which have been presented to the public year after year. It is safe to conclude, without the Association's inspection and constant prodding, the situation would be infinitely worse than it is. No one can quarrel with the conclusion that the city inspection department cannot possibly meet the need until sufficient funds are appropriated to provide a reasonably adequate force of inspectors. Attention is also called to the lack of cooperation on the part of certain magistrates.

### NEW CONSTRUCTION

Of the 7,834 houses for which permits were issued in Philadelphia in 1928, 62% were 2-story brick structures and 34% tenement and apartment houses. The number constructed of frame was so small as to be of no importance except to indicate a wholesome trend away from inflammable types of construction. Sixty-eight percent (68%) of the accommodations were in 1-family dwellings, but 1% in 2-family dwellings, and 30% in tenement and apartment houses—which is not an unfavorable showing considering the size of Philadelphia and the developments in other communities.

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\* Two of the chapters appearing in this Report have already been published in these columns—one entitled "What the Rest of the Country can Learn from Philadelphia" and the other "International Housing and Town Planning Congress"—and need not be reviewed here.

The Report cites the fact that for 257 cities in the country, 53% of the accommodations provided in 1928 were in tenements or apartments. Nevertheless the trend is toward the multiple-type dwelling even in Philadelphia as it is in practically all of the large cities. Their figures would seem to indicate that a larger percentage of builders were able to sell or rent their property more quickly than in previous years. This is probably due to the fact that construction costs and selling prices were both lower in 1928, 75% of the completed construction having been put on the market for \$7,000 or less, as compared with about 50% for the years 1924 to 1927 inclusive. The total number of properties offered for sheriff's sale increased to a very noticeable degree, namely, 39% over the preceding year, probably indicating the result of high pressure campaigns to sell houses to people beyond their ability to pay.\*

#### DWELLINGS TORN DOWN

The number of persons dispossessed as a result of the tearing down of dwellings in Philadelphia in 1928 was 4,215. The total number of persons dispossessed during the past 6 years they estimate to be in excess of 31,000. Nearly 60% of the houses torn down were in poor condition. Apparently, then, their loss was a gain for Philadelphia.

Rents were lower in 1928 by 5% than they were in 1927. These rents are however still twice as high as they were in 1914. "The modal rent for the normally equipped 4-room house included in the study was \$25 and for the 6-room house, \$35." The data upon which this information is based involved 2,177 1-family dwellings, many of which were in need of improvement. One-third had furnaces, one-half had bath tubs, about one-half inside toilet facilities, 94% had inside water supply, 9% were dependent upon oil lamps for lighting.

Owners seem to be making repairs more readily. This probably is not unrelated to the large amount of moving among the families concerned, the figures indicating that 43% of the total had changed quarters during the year—a greater amount of moving than shown in any of the Association's previous surveys. While the rents for negro tenants are relatively higher than for the whites in comparison with 1914 rentals, the negroes received the greater reduction in rents during the year.

#### VACANCIES

A special survey of vacancies was made in 66,372 dwellings. Two and two-tenths percent (2.2%) were found to be vacant and some were

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\* See article "*Buying Homes Beyond Their Means*" on page 283—Editor.



either not available or not suitable for occupancy. While this is a larger percentage of vacancies than in 1925, the Report calls attention to the fact that it is considerably short of "the normal vacancy rate of 5% allowed by economists for urban housing." Nearly one-half of the houses vacant rented for \$30 or more a month. The cheaper the rent the less satisfactory the structural and sanitary conditions among the vacant flats.

Other matters covered in the Report which lack of space does not permit detailed consideration of here, are the activities of the Association in promoting city planning and particularly zoning legislation, and the Association's effective educational work including housing trips, exhibits, articles in the public press, lectures, pamphlets and reports and the provision of consultant services.

The Report establishes the place of the Philadelphia Housing Association as one of the most active and productive in the country.

BLEECKER MARQUETTE  
Better Housing League, Cincinnati, Ohio

## RECONDITIONING OF HOUSES URGED FOR PITTSBURGH

John Ihlder, Executive Director of the Pittsburgh Housing Association at a meeting of the Board of Directors of that organization early in October in which Mr. Ihlder summarized the year's work of the new Association, laid stress upon the desirability of repairing and reconditioning a considerable number of occupied houses in Pittsburgh which, he points out, are today below proper housing standards, and can be brought up to proper standards at much less cost than new houses can be built. After briefly reviewing the steps which had led to the formation of the Pittsburgh Housing Association a year ago, and the efforts that it has put forth during the first year of its existence, Mr. Ihlder calls attention to the fact that their inspections have shown a large number of deteriorated houses, houses that have been neglected for years, that many of these are occupied but that an increasing number are vacant. The bad effect of a large number of vacant houses upon a community is stressed, and it is pointed out that vacant houses deteriorate more rapidly than occupied ones and in time become eyesores that depreciate surrounding values and give the city a bedraggled look; that, also, they become ultimately a social, a health and a fire menace. They are very often misused as latrines until on a hot summer day they become most offensive to passers-by on the street

and to neighbors. Neighbors dread them because of danger to their children as they become harbors for tramps and vagrants.

Mr. Ihlder rightly says that it is a permanent result that they wish; that instead of deterioration they want progress; instead of police supervision they wish houses that do not require such supervision; instead of abandoning their older districts to filth and decay, instead of accepting ever widening slum areas as inevitable, they wish to wipe out the slum. He adds that it is possible to wipe out slums and possible to rid Pittsburgh of the slum's degrading influences.

Summing up the situation in Pittsburgh as he sees it after a year's effort in the housing field in that community, Mr. Ihlder says:

The situation as we see it after a year's work is that Pittsburgh has overcome its housing shortage, that commercial builders are meeting the demand for new dwellings, that they are seeking to lower costs, but that the cost of new dwellings today, as it always has been, is beyond the means of that part of the population whose need is greatest. Even building at a loss would not reach these people in sufficient amount to be of any effect.

At the same time there is a considerable supply of vacant houses and a larger number of occupied houses which, today below proper housing standards, can be brought up to proper standards at much less cost than new houses can be built.

Mr. Ihlder reaches the following conclusions:

Consequently, it seemed to us obvious that the principal effort of the Housing Association should be to secure the repair and reconditioning of existing houses. In this way not only would proper housing be provided at lower cost, but the older districts, instead of continuing to deteriorate, would be started once more on the road to improvement. In time Pittsburgh will be freed of its blighted areas.

An interesting picture of what Mr. Ihlder describes as "Housing Progress—First Phase" is drawn by him in the following terms:

We see a constant stream of people moving from poorer houses to better houses, from poorer districts to better districts, leaving behind them dwellings and districts that deteriorate more and more. The old houses become insanitary, dilapidated. Their roofs leak. Their sanitary conveniences, dating from a more primitive day, are an offense in a modern city. Their water supply, often a distant outdoor hydrant that freezes in winter or that is kept constantly running in order to prevent freezing—one of the most flagrant of our city wastes, does not fit with modern ideas of personal or household cleanliness. So whole districts gradually assume a neglected, woe-begone appearance which affects not only them, but affects adversely the whole city.

While recognizing that the other aspects of housing effort must not be neglected and that legal standards must be enforced by the public officials, an aspect of the problem to which the Pittsburgh Housing Association has given much attention in its first year of effort, Mr. Ihlder concludes his Report with the statement that their effort to

interest public-spirited persons in taking over and reconditioning houses in neglected areas, and so making more dwellings available at lower rentals than is possible with new houses, has now progressed to the point where they are about to make an estimate on the cost of reconditioning a group of houses tentatively selected for the first experiment.

He concludes his suggestion with the statement:

Our mental picture of housing progress, beginning with the movement of people from poorer dwellings to better dwellings, leaving behind them the old deteriorating houses that in times past have become wrecks, is supplemented by a picture of reconditioned houses succeeding insanitary dwellings, and new houses occupying the sites of former wrecks.

We sincerely hope that this very practical suggestion for a form of housing effort may be taken up actively in Pittsburgh. Wherever it has been undertaken it has proved successful; beginning with the Octavia Hill experiment in London back in the 1870's and continuing on down to the later Octavia Hill work in Philadelphia, so splendidly sponsored and carried out by the Octavia Hill Association of that city, under the guidance of Miss Helen Parrish, Miss Hannah Fox and their fellow workers and associates; and in New York some years ago in Miss Ellen Collins' experiment, down to the large scale operations now being very successfully carried out along these lines in London under the leadership of Claude Leigh.

With these successful examples of the past as a guide and exemplar, there is no reason why similar effort should not succeed equally well in Pittsburgh today.

## TEACHING THE TENANT

Although the Better Housing League of Cincinnati has been engaged in instructing tenants in methods of good housekeeping for several years past the job is still far from completed. The League, while satisfied that the work that has been done has been worthwhile, is convinced that it is the kind of thing that works slowly and must be done continuously over a period of years. The poorest group of housekeepers sometimes improve quickly when they are first approached but the results are not permanent unless there is more or less active supervision.

The League has 4 Visiting Housekeepers who constantly visit the homes in the congested districts of the city, work with owners and undertake to discover bad housekeepers and to assist them to the best of their ability.



In the congested negro districts the League has combined its staff of negro field workers with those of the Associated Charities in what is known as the Family Service Department of the Shoemaker Center, which is a health and welfare center for negroes. This entire staff is made up of 8 field workers, all of them doing not only family service work but also housing. Their housing work is under the direction of the Assistant Secretary of the Better Housing League, Miss Ethel Ideson.

Last summer a plan was developed for a Housekeeping Institute by which it was hoped to bring together for weekly meetings the worst housekeepers in the district. The League made a survey and selected some 200 of the worst housekeepers. It was hoped that the interest of the meetings themselves and the refreshments served, together with the prize awarded for good attendance, would help to bring in the families that it was desired to reach. In this respect the Institute was only partly successful. There were in all 84 women who attended but the average attendance was 35 women and 20 children. Provision was made for entertaining the children while the mothers attended the Institute. Not all those who attended were bad housekeepers. It developed that certain women who were fairly good housekeepers displayed an unusual interest and asked for permission to attend. The topics discussed included the following:

Easy and Efficient Way to do Laundry Work, Treatment of Floors and Woodwork, Windows and Curtains—How to Clean and Make Attractive, Care of Beds, Extermination of Vermin, Care of Plumbing, Disposal of Garbage and Rubbish, Training Children, System in Housekeeping, Care of Babies, First Aid in the Home.

The members of the class were given the privilege of asking questions and volunteering personal information based on their own experiences. This they did to an unusual degree. Refreshments were served at each session and there was some entertainment. At the conclusion of the Institute 20 prizes were awarded.

The Shoemaker Center workers visited the homes of the women who attended the Institute, both during and after the close of the sessions, and report that they noted an improvement in housekeeping in most of the cases—in many instances they found that a number of the practical suggestions given were being followed out. At the close of the Institute several of the women urged that the Institute be continued during the winter and pledged that they would attend. It is hoped that it may be possible for the League to get enough funds to make this Institute a permanent part of its programme. Although it

is slow up-hill work it is believed that if the Institute can be made attractive enough it will eventually be possible to enlist a much larger group and to attain greater success in reaching the families we want.

BLEECKER MARQUETTE  
Cincinnati

## HEATING HOUSES BY RADIO

If recent dispatches from Paris are to be believed, wireless beams from the Eiffel Tower, may before long be employed to furnish heat for the residents of Paris when tentative plans drawn by French engineers are put into effect.

Jacques Risler, who has investigated the development of this most modern aspect of present day life in Germany, reports that heating plants, deriving their power from radio waves, are operating successfully in that country. He adds that "while the question of wireless heating of houses is still in the experimental stage, the feasibility of it has been definitely established."

Explaining how it will work Risler said recently:

In the laboratory two posts were set up about 30 feet apart. The sending post sent out from 400 to 500 volt current waves of 2 to 3 meters length. All that is to be done is to interpose on the receiving post circuit a filament in vacuo and it is raised to an incandescent state and gives out quite appreciable heat.

He adds:

There is therefore no theoretical difficulty in installing in a house a series of receiving posts which would in reality be just so many electric radiators. This system could be extended ultimately to an entire district or to a whole city, which would derive its heat from one central broadcasting station.

From which it would appear that we may be on the verge of marvelous changes in our methods of living. With the radio an accomplished fact there is nothing that the human mind may not accept as ultimately possible.

## HOUSING AND HEALTH

*Community Hygiene*,\* essentially a text book for college students, has practical value for the general public. It covers the varied phases of community health work and by its discussion of the causative fac-

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\* *Community Hygiene*. Smiley and Gould, The Macmillan Co. 1929. 350 pp. Price \$2.

tors in the spread of disease emphasizes the importance of a broad public health programme. It is an abridgment of facts and conclusions of the leading engineers and health authorities compiled from extensive literature to which attention is drawn in the bibliographies and references attached to each chapter.

The housing student will be interested in the chapter on "Housing and Health". He will not agree with many of the authors' opinions and will challenge some of their "facts". He will be astonished to learn that the \$4 to \$6-a-day-man usually budgets "30% to 40% of the family income" for rent, and that the solution of the housing problem "seems to be along the line of interesting private enterprise in housing projects that primarily have a humanitarian and philanthropic motive rather than a speculative one".

The authors believe that "the solution of the problem of decent housing", if "sites can be obtained at their true value" with "funds obtainable at a reasonable rate of interest and the project is large enough to permit of quantity buying", "will very likely be brought about in a comparatively short time under the leadership of Augustus Hecksher, the Metropolitan Life Insurance Company, the Empire Trust Company, and other interested parties". Appreciating the ramifications of the housing problem, one's sympathies go out to these leaders who are thus expected to accomplish so much in "a comparatively short time".

There are some alleged historical data cited that will be news to those who have made extensive research in the housing field. For example, the authors say that "Seventy-five years ago, in our large cities, (not just New York City) it was a common practice to build homes and apartment houses with more than one-half of their rooms shut off from any source of outside light". How New York City impinges itself on the retina of the average New York Stater to the exclusion of other large cities in the United States! Philadelphia has yet to reveal one dwelling or one tenement, old or new, with one-half its rooms without outside light.

Current housing history is revealed in an astonishingly new light. For, say the authors, "few indeed are the homes in any modern American city without one or two modern bathrooms with bathtubs or showers, toilets, and running water". The recent report of the Pennsylvania Housing and Town Planning Association states there are a million persons in Pennsylvania cities that live in houses that lack sewer connection.

Lack of space to develop the essential ramifications of "Housing and Health" may have forced the authors to the selective process in



discussing many aspects of the problem, for they have omitted fundamental factors which the housing specialist would expect to see treated, such as occupancy problems, inadequate equipment, and nuisances having an adverse health reaction. Moreover, the demands of brevity do not justify the omission of qualifying phrases when their absence will mislead the college student.

The rural privy is approved if it is not near a water supply, but the authors fail to emphasize the necessity of fly screening. Sewage discharge into a stream is anathematized, notwithstanding the safety of disposal by dilution when the volume of sewage is below the self-purification capacity of the stream. Houses set side-by-side, 6 feet apart, are condemned because natural illumination along the side walls is curtailed. Thus the "sunlight" house, two rooms deep and properly oriented, which may have each room flooded with sunlight for hours daily, even though side yards are omitted, is totally ignored. Only on the ground of poor proof reading can one explain the absurd standard the authors set for natural illumination at "one square foot of free window space to every square foot of floor space". Our families would indeed be living in glass houses were such standard to be maintained.

The inclusion of a chapter on "housing" in *Community Hygiene* is to be commended but it is to be hoped the authors will revise their treatment of the subject before the next edition of their volume is published.

BERNARD J. NEWMAN  
Philadelphia

## ENGLAND AND THE OCTOPUS \*

This book has a great deal of language in it, and it is not soft language at that! The phrasing of the foreword indicates the belief of the author that he has been unusual. He writes: "There is nothing weighty or authoritative about the gadfly, yet for all that its sting has sometimes so tickled or exasperated the noblest of the brutes that his plunging reactions have changed the very course of history." The table of contents indicates the vigor of the pages. Some chapters are mentioned: The Prodigal Planet; Watchmen and Thieves; Our Short-Sighted Forebears and Our Futile Selves; Some Causes of Urban Beastliness; and of the Consequent Rush to Escape; New Towns for Old; The Archfiend and the Archangel; Donkeys, Drones and Ostriches; The Beneficent Busybodies.

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\* *England and the Octopus*. By Clough Williams-Ellis. Published in London by Geoffrey Bles. 188 pp.

The last chapter is called "A Devil's Dictionary", and it names names and states precise situations with complete candor and no reserve at all.

The purpose of the book—that the Octopus is intended to mean thoughtless civilization, careless so-called improvements, and a general disregard for what it properly calls "amenities"—is definite and plain. In the various chapters assaults on the beauty of the land are criticized in unsparing language, sometimes, it seems to the reviewer, with entirely too high a regard for old conditions that have been mellowed into beauty.

At first blush one suspects the book of being a further attack on the billboard monstrosities with which we are so painfully familiar in America, but it appears promptly on investigation that a far greater purpose than this is in mind. The argument in the first chapter, that inasmuch as man has been on the earth probably very few of the years which are presumed to include its duration, he is all wrong to have so completely disregarded the appearance of the property in which, after all, he is only an incidental and not long-continuing tenant.

To quote one paragraph is really to explain the book:

In the late War we were invited to fight to preserve England. We believed, we fought. It may be well to preserve England, but better to have an England worth preserving. We saved our country that we might ourselves destroy it.

Mention has been made before of the word "amenity", which is far less familiar in the United States than in England. In fact, it is so little used that most who read these words will not register a mental impression of its meaning that bears any proper relation to the vigorous language and the high purpose included in *England and the Octopus*. A modern dictionary defines "amenity" as "agreeableness; pleasantness; suavity; (in the plural) things marked by such qualities". It is therefore the thought of this book to arouse its readers and those whom they may influence toward the danger to the things which make life pleasant to the eyes, which are legally undefended, though the nose and the ears are considered by the courts as worth protecting.

But the impression must not be left that the whole book is made up of objurgations and that it constitutes a mere philippic. There are many citations of things that may be done, and of men and women who may do them. For example, gardens and golf courses are taken into account, as are paint and parkways. Trees, of course, come in for sharp consideration.

As yet, we have not reached the point in America where it becomes of immense importance to preserve "The Great House: Its Conserva-

tion and Conversion''—to transfer the title of a chapter. There is a plan for making England's great estates—tending away from their old ownership through the mutations following the War—generally available.

*England and the Octopus* is a wholesome and important book which one wishes might be extensively read in America.

J. HORACE McFARLAND  
Harrisburgh

## THE LIGHT THAT FAILED

An amazing attempt to steal important privileges and to increase the permitted height of buildings from a maximum height of 264 feet to 440 feet, was attempted in Chicago last Summer.

A mysterious amendment to the Zoning Ordinance was quietly "kissed through" the Chicago City Council without the public's waking up to what was being attempted, and, apparently, without some members of Council itself realizing what was happening.

When the spotlight of publicity was turned on the proposed ordinance, and, more particularly, on the proposal to erect a skyscraper to a height of 657 feet on a Michigan Avenue corner, there was an outburst of public protest and an inquiry as to how it was possible to erect a building to this height under the Zoning Law.

One of the interesting aspects of the situation that developed was the fact that the architects of Chicago took the lead in voicing a public protest against this increase in the permitted height of buildings.

As a result of the storm of disapproval that arose, the Committee on Buildings and Zoning of the City Council ordered the Building Commissioner to cancel the permit for this building on the ground that the amendment to the Zoning Ordinance had slipped through the Council without discussion. It is an interesting commentary on the way in which law is made—in Chicago at any rate—that although the Zoning Ordinance provides that no amendment to it shall be made by the City Council without a hearing before the Board of Appeals, that there was no such hearing in this case. That alone would have been sufficient reason to have invalidated the ordinance and would have justified the cancellation of the building permit.

The change in the ordinance, we are informed, was shortly after rescinded and the projected building made impossible. Thus terminates another example of the age-old fight between private interest and the public welfare.



## A BACKWARD GLANCE IN REGIONAL PLANNING

At a time when New York City is considering plans for a super-city for the Region which in 1965, it is estimated, will contain a population of 20,000,000 people or more, it is not without interest to turn back the pages of history to the first scheme for a Regional Plan for the great Metropolitan area around New York, proposed by Alexander Hamilton, that great financial genius, first Secretary of the Treasury and one of America's great statesmen.

A hundred and thirty-eight years ago, back in 1791, Alexander Hamilton, then only 30 years old, acquired most of the present site of Paterson, New Jersey, and formed a corporation with a group of men whose names are associated with the early history of Manhattan, in a business venture which was entitled "The Society for Establishing Useful Manufactures"—a delightfully quaint name for a corporation.

Paterson at that time was virgin woods, a rough hilly country, dotted here and there with occasional farms. Major L'Enfant, the French architect who had laid out the city of Washington, was hired to make a plan for the future development of the city of Paterson. It is most regrettable that this plan should have been destroyed by fire in 1840, but there remains to us in the writings of his contemporaries enough of its details to indicate the scope of what it envisaged at the time.

A commentator writing as recently as 1882 criticizes the plan as extravagant and ill adapted to the topography of the region, criticizing the streets and avenues 200 feet wide that were laid out "to run at right angles, regardless," as he puts it, "of rock, hill and stream."

The records show, however, that the plan commended itself to Alexander Hamilton. It is hardly likely that a city planner with L'Enfant's technical knowledge and imagination could have disregarded the nature of the terrain. And while streets 200 feet wide would be very appropriate to these days of the motor age, it may easily have been considered an excessive width 138 years ago.

Major L'Enfant remained in charge of the scheme for two years and then, for some reason, his services were discontinued and the scheme was ultimately abandoned, for reasons unexplained.

That Major L'Enfant, even in those days, had the vision to see the importance of Regional Planning, as distinguished from City Planning, is evidenced by his proposal that the new town of Paterson should be connected by a main highway with the nearest city, and also that additional land should be acquired in advance of the scheme for future expansion of the city.

What has particular interest for us at the present day, especially for New Yorkers, is the way in which so great a genius as Alexander Hamilton envisaged the development of Paterson and of New Jersey. On several occasions he freely predicted that:

One hundred years from this day in which we live and have our being, the greatest city of the world will lie, not on the Continent, nor yet on the easterly banks of the Hudson, but on the westerly side of that river.

Hamilton's prediction has not come true though a great future undoubtedly awaits the development of the western bank of the Hudson River. It has never had its proper day.

## IS BEAUTY ONLY FOR THE RICH?

### DOES BOSTON THINK SO?

Boston is once more in the throes of a discussion which ranges the ultra-aristocratic property owners of the Back Bay on one side of the issue and the great mass of the citizens on the other. This is not a new situation for Boston.

Bostonians, for some time, have been conscious that the beautiful Charles River Basin falls short of what it should be and fails to serve the people of Boston as it should serve them. The Basin is a lovely thing both by day and by night. It is rightly one of the sights of Boston that every visitor to that city wants to see, and yet it lacks that touch which would complete its attractiveness. It is strangely empty. It is unused, boats are few. There is no life either on the water or on the land. People appear in occasional groups rather than in throngs upon the Esplanade.

Conscious of this situation, the Massachusetts legislature not long ago appointed a Special Commission to consider "how to make the Basin more safe, suitable and attractive for recreation and civic welfare purposes".

The Commission a few months ago made its Report to the legislature, treating the problem in comprehensive and broad fashion, developing plans for making the Basin not only more useful from the point of view of recreation, but at the same time offering a solution to some of Boston's traffic problems that cry out for solution.

It is the Report of this Commission that has arrayed the property owners along Beacon Street, whose houses abut the Charles River Basin, against the great mass of the people of Boston, who naturally desire to see this great improvement carried out.

What the Commission proposes in brief is that the River Bank be used, as in most large cities, for main traffic arteries, with an ingenious combination of parks and boulevards, which are mutually exclusive, neither interfering with the other, nor sacrificing anything to enable the other to function. Swimming pools, boat landings, playgrounds, and appropriate landscaping features are all included in the scheme.

It also contemplates rapid transit ways for motor cars through a sunken roadway, through which motorists may drive at high speed into the heart of the city, without having intersecting traffic or grade crossings as interference. To accomplish this, it is proposed that the present wall which bounds the Basin on the land side shall be extended upward and become the inner boundary of the Boulevard. On the water side of the Boulevard, extending into the lake 300 feet from the present shore line, a stretch of land will be recovered from the water itself by filling in, and this will be developed for park and pleasure purposes.

Included in the scheme of the special Commission is the construction of a new bridge, well up stream, to link together two sections of the Metropolitan Park System, and the filling in of the missing links in the original plans for a series of continuous parkways on both sides of the River, of which the most important is the section on the Boston Side where the greatest changes would have to be made for the Park and the roadway.

This roadway which would be divided for inbound and outgoing traffic, is the chief bone of contention at the present time. It is proposed to build it 170 feet out from the nearest building line, but the property owners whose houses front on Beacon Street and abut the River in the rear, fear the noise that will be made by this traffic. Yet these cars will all be screened from view from the houses by a wall, while the motorists will have on the other side of them a view of the water in whichever direction they may move. Bridges designed for ornament, as well as for utility would give access to the playgrounds.

The new park area to be taken from the present water area would slope to a pebbled beach. One result expected from removing the present stone retaining wall is that it will cure the existing troubles which boatmen now contend with; for the present retaining wall produces rough water and choppy seas whenever there is a moderate wind. Many years ago when it was a tidal stream, the old Charles River was often a busy place with rowing shells and regattas.

The expense of the creation and the completion of the Basin up to the present time has been \$4,750,000. The estimated cost of the pro-



jected improvements is another \$4,250,000. Of this \$1,000,000 will be provided for in a generous gift made by Mrs. James J. Storrow, as a memorial to her husband, who for many years was Boston's "first citizen". This would leave as the net cost to the Commonwealth \$3,250,000. The Commission proposes that this cost shall be reduced by various devices, and that about \$2,000,000 shall be assessed on the 37 cities and towns in the Metropolitan Park District.

There is little indication at the present time to tell whether the plan will be carried out or not. In the meantime, the conflict between private interests and the public interest rages.

### THE DANGER THAT THREATENS ZONING

A timely warning is sounded in a recent issue of the magazine *Progress*, published by the Pittsburgh City Planning Association, against the dangers which threaten the cause of zoning through the lenient manner in which Boards of Zoning Appeals and similar bodies set aside the provisions of zoning ordinance established after comprehensive studies and plans have been made of the needs of a community.

An excellent point is made, taking the text that "Zoning Must Be Reasonable", that, although it is not generally thought of, it is equally pertinent to remind ourselves always that the zoning ordinance must be *treated reasonably*. The article goes on to suggest that there comes a time with any law which has been in effect for a period of years when there should be an appraisal of its effectiveness, of the manner in which it may be being circumvented and the confusing or erroneous ideas which have attached themselves to it.

After pointing out that changes in the zoning map have come about not only by amendment of that map by the City Council but have come through rulings of the Zoning Board of Adjustment in allowing "variations" to individual property owners, they say:

But one thing becomes more and more apparent. It is that there still exists, slightly abated if at all, the feeling that the right of the individual property holder to market his property is superior to the right of the community to control development with reasonable caution and with a reasonable protection of the character of individual localities. If the Zone Map was originally anything like a correct designation of areas suitable for industrial, commercial or residential development, then we should be concerned whenever developments of a specific character are proposed to be located in a zone not designated for that purpose.

The article goes on to say:

Since there still is a great deal of opportunity to add new commercial uses in incompletely developed commercial zones, industries

in industrial zones, apartments in apartment zones, the community's welfare is best secured by requiring new structures and uses to be located in such a way as to fill out and complete the proper zones. If, on the other hand, that principle should govern which says that the change of ownership and use of city lands should always take precedence over the maintenance of well balanced district development, then our Zoning Ordinance would appear to have been set up almost for the purpose of being gradually knocked down.

They add:

There is a fundamental issue in this situation. If the Zoning Regulations are to be so framed and applied as to afford the protection this neighborhood now asks for, then it follows naturally that each of the properties there ought to be maintained permanently in their present character. The result of this would be that, when it becomes necessary or desirable for any one of these places to be sold, the market would be restricted to those people who can afford to, and want to, live in houses of this sort in a highly protected neighborhood. We suspect that this market would not be so slim, or so afraid to buy, if the zoning protection were of the right kind and more enduring than at present. But, normally, people do not like to have the market for the sale of their property thus curtailed. They prefer a wider latitude of purchasers; and, being compelled to sell, frequently are not much concerned as to the damage the neighborhood may suffer because of an undesirable change of use of the transferred property.

Stated in another way, the gist of the matter is that we should weigh against each other the relative advantages of (a) freedom to sell regardless of consequences, and (b) limitation of the selling field in favor of the maintenance of highly protected residential property.

Perhaps the most significant thing about all this is that the passing of any law doesn't really settle very much. It starts more than it settles. Constant attention and timely reconsideration are the only means we have to assure an equitable and reasonable control of private property along constitutional lines.

## ZONING AIDS LAND VALUES

Probably what is the most striking argument for zoning thus far advanced in this country is the statement issued by the National Association of Real Estate Boards some months ago in which it is pointed out that zoning is one of the greatest factors of the present day in preserving and increasing land values.

In this statement the realtors of the country say that the sensitivity of realty values to surrounding influences can hardly be over-emphasized, and that the highest values for home sites are generally found where there are no detracting factors, where every feature contributes something to make the section more desirable from a residential standpoint. It is the use of residential property as residential property and for no other purpose that conserves to the full its value as such property.

They go on to say:

The presence of factories, stores or warehouses in a residential section breaks the continuity of similar use and makes it impossible for the land to reach its highest residential value. An inherent love of beauty has made most families dislike to see workshops on the edge of their front yards, and in places where such encroachments occur residential values are lowered.

It is necessary for residential areas to be serviced by shops, schools, garages, laundries, &c., but values are highest in sections where these structures are removed from the home sites without rendering them inaccessible. Highest values also arise where homes of the same general cost level are confined to similar districts.

#### WHAT MAKES LAND VALUE

Maximum land values arise in areas where property is used for similar purposes, and the competition of business does not make rival organizations seek widely separated locations. Business does better wedged against its competitor than off by itself. The growth of retail centres, financial districts, and home areas in cities throughout the country has resulted in higher ground values than could possibly have occurred had factories, stores and homes been jumbled together.

Behind all values are certain causes, and the high figures quoted for preferred industrial, commercial and residential sites are brought about because people have found it more profitable to do business next door to a competitor and more pleasant to live next door to a family in the same circumstances.

The grouping of manufacturers to whom transportation is an important factor in securing supplies or in distributing products in a region devoted largely or wholly to industry often makes it possible for the district to have railroad switch track service which would not be made available by railroad companies for a small isolated industry. The establishment of industrial districts often facilitates the delivery of raw materials.

#### SIMILAR USE BRINGS PROFITS

In all great cities the financial organizations tend to centre in one part of the business district. Banks, bond houses and investment institutions that compete for the savings of the public rub elbows door to door. Retail stores and specialty shops crowd together.

The same tendency to grouping that is true in the central business district is found in the outlying business sections. This concentration is not the result of accident. All of these interests have taken the same address because it pays them to do so.

Manufacturers of clothing whose business constitutes one of the largest and most competitive industries in America have grouped their displays in a compact area in New York City and will soon house display and salesrooms in one of the world's largest buildings in Chicago. The profits of such a business depend on the buyers from the retail stores who visit the wholesale houses and select their wares. For the same reason that the retail shops seek locations near each other, garment manufacturers place their headquarters in the same structure.



Zoning is an effort on the part of cities or counties to protect the interests of the business man and the home owner so that each may realize the highest possible values from his land. For although the tendency to group according to similar use is very definite, there are people who from motives of self-interest would oppose this natural tendency if zoning laws and restrictions did not operate to protect the general interests of the property owners of the area.

## WHAT ONE MAY EXPECT FROM ZONING

### WORDS OF WISDOM FROM A REALTOR

F. Woods Beckman, a leading realtor and a public spirited citizen of Altoona, Pennsylvania, at a City Planning Conference held in that city some time ago, with great wisdom thus summarized his expectations of the benefits that would come to the city, when their city plan and their zoning ordinance had been adopted. He said on this occasion:

In a general way we expect: first, better home sections; second, better business sections in outlying parts of the city; third, better working conditions in shops, stores and offices; fourth, better transportation facilities; fifth, better recreation facilities. Now, of course, this does not mean that we expect any great or radical improvements in the present built-up areas, nor any sudden changes; but rather that in newer sections and in new construction these improvements will manifest themselves.

And, what do we mean by better home sections? That when we locate our home in a certain part of the city we can feel confident that there will be no sudden changes, nor disagreeable changes that will damage us and the value of our property. We can with confidence build our home and need not fear that a neighbor will start a factory or put up a large apartment that will shut out all light and air from our home. If we believe that there is a need for apartments we can select a location where we know the neighbors cannot drive us out or hinder us from erecting such a building. Whether we are going to live in a single-family residence or in a multiple dwelling, certain minimum standards for light, sunshine and air must be complied with and we know that we are protected against undue encroachments by thoughtless or unscrupulous neighbors. Think what we will gain when we don't need to look from our porch at a billboard with a tobacco or a soap advertisement.

### HOW BUSINESS BENEFITS

How do we believe that business in outlying sections (local business sections) is going to be bettered? The zone map gives advice of where to select a store site. The number of possible sites is definitely limited. An unlimited number of competitors cannot spring up and make it impossible for all to make a living.

But, we are not quite certain in regard to the distribution of these subcenters and believe that in some cases they probably should be made a little larger than the zone map indicates.

Will working conditions improve as we hope, and as we should expect from the city plan and zoning ordinance? To some degree, though we believe this will depend much more on the plan and ordinance. I want to return to this subject a little later when I give my views on height limitations.

The transportation facilities we expect to be greatly improved by the carrying out of the city plan and zoning ordinance. We note that the local business often has been located away from the thoroughfares, thus eliminating causes for congestion. We expect widened streets and a very definite differentiation between the thoroughfares and residence streets. Proper regulation of the traffic on thoroughfares and side streets entering into them will allow safer, and on the average, more rapid travel, which means that we, whether we travel in street car, bus or auto, can go faster from and to our work—and with increased safety.

Some people seem to think, "pass a law and the millennium will come". We do not think this about our city plan and zoning ordinance. We believe that for quite a while there will be trouble and difficulty until the public has learned to accommodate themselves to the new conditions.

### WHY HEIGHT OF BUILDINGS SHOULD BE LIMITED

In some respects, I believe the zoning ordinance is little or no improvement upon the present condition, though the present possibilities may be worse than the possibilities under the zoning ordinance. I refer to the question of height limitations in the main business district. This may be a dangerous subject, but to me it seems exceedingly important to discuss it early because changes are more difficult and more expensive to make there than in the residential sections of a city. What shall we take into consideration when establishing height limits in a business district? We understand that a zoning ordinance comes under the police power; and, therefore, should be for the protection of the life, health and safety of the people and that it must be reasonable and not too drastic. How are life, health and safety affected by the height limits in the business district?

We all know that health largely depends on the amount of fresh air, sunshine and exercise a person gets. We also know that many employees work the greater part of the day and do not have much opportunity of being out of doors—and many of them live in apartments where they get little or no sunshine. At the present time we have a number of 5 and 6-story buildings along our business streets. Most of the buildings are lower, allowing a considerable amount of light, sunshine and air to reach the street surface and to come in through the windows of the building.

## DARKNESS, DANGER AND FOUL AIR

Increase the height of all buildings to 80 feet, and to 100 feet with the setback, and see what dark canyons we are going to have in place of our present streets. Those who work on the lower floors in those buildings will have a much worse condition than now. Then remember that the air will be less pure, if not much more foul, with more people and more automobiles. Ordinary artificial light cannot take the place of sunshine. We all know that the sun is the greatest disinfectant and we also know that it is pretty difficult to keep people from spitting. If we keep sun away from our business streets the air will contain more harmful germs than it does now.

And safety. A fire breaking out in a high building is harder to fight than in a low one, and we may not be equipped to fight a fire in an exceptionally high building. The safety of the occupants is less in a high than in a low building. The greater congestion on the street may retard the arrival of the fire fighting apparatus and still more increase the danger. These are all sentimental reasons, even though justifying, from a zoning point of view, the lowering of the height limit.

## CONGESTION DOESN'T PAY

But let us look at it from a business point of view. Up to a certain point, traffic and apparent congestion is advantageous to business; beyond that point, it is distinctly disadvantageous, drives business away. In some cities sub-centers have developed, in others the retail business has moved to less congested areas close by. The street congestion depends both on through traffic and local traffic, but, most of the traffic in the business section is created by the business there. We now complain about traffic problems (not to mention parking problems) in our business area.

How much will the traffic increase and how much more congestion will we have, when our business streets are built up solidly to the present extreme height of 5 or 6 stories? I have not seen any calculations of the present cubage of the buildings; but I believe with a 5-story height we have not used more than one-half of the cubage. Today conditions are pretty fair; but if we double or treble the volume of business and more than double the people in the business district, how are we going to take care of the traffic?

And now we are not satisfied with that. We want to make the buildings still higher. Eighty (80) feet on the street total height, with setback 100 feet, and with tower 125 feet. I repeat the question, "Where are you going to take care of the traffic?" Then someone will say: "Oh, that many new buildings won't be put up in 50 years!" We don't know—and if they are not needed, why should we allow them? If, on the other hand, it is that we desire a few tower buildings then let us make proper



provision so that we get really beautiful buildings and not boxes on end; and let us make provision that we cannot have more than one such tower in each block, and let the balance of the block be low and regular.

### DISTRIBUTE THE BENEFIT

From a business point of view it hardly seems wise in a town the size of ours to have a few very large buildings with plenty of office space rather than a number of reasonably large ones. In a slowly growing community the very large building may increase the office space so much that it will take the city 5 or 10 years until all space that was left vacant on account of the new buildings is taken up again. Here in Altoona we have not suffered so very much in this respect as have a number of other cities. A smaller building every year, or every other year, would probably have been more healthy for the community and would offer more steady employment. The economic question of height is most interesting and we could be tempted to spend a lot more time on it, especially its relation to ground values and changes in values within short distances.

The danger of shifting business locations on account of congestion should be seriously taken into consideration and we should also remember the influence on tax values and revenues and costs in areas of very great and intensive use.

### WE LOVE THE BIGGEST OF EVERYTHING

Now I know these considerations and views are not popular. We all love the biggest and the greatest, and we point with pride to a big building. It flatters our vanity that we have such fine, high buildings and we say "Look what crowded, congested streets. Doesn't that show life?" But is it wise?

I would like to see us make the height limit equal to the width of the street, with a setback provision of one to one for 20 additional feet, making a total height of 70 feet, but having the possibility of erecting one high tower in each block under very special safeguards. Will our city plan and zoning ordinance in regard to the main business district give us what we hope and have the right to expect? The future will give the reply.

I repeat what I said in the beginning. We believe the city plan and zoning ordinance will give us a great deal of satisfaction and many conditions will be ever so much better than they are now.

There is, however, one thing that I have not had a chance to mention; but which I consider so important that I would like to spend a long time discussing it, and that is, beauty in our city. We begin to appreciate the commercial, as well as the mental and amenity values of beauty, and we expect our new city plan and zoning ordinance will help us to get a great deal more and lasting beauty into our city.

## TAKING THE GRID OUT OF THE GRID-IRON

An interesting and difficult bit of replanning of a portion of the city of San Francisco has recently been made, which affords an object lesson—not to city planners, for they have never needed it—but to the usual builders of cities, the city engineer and other city officials—of how disadvantageous the ordinary grid-iron plan is in a community where the land is not level, but where the topography is high and hilly.

San Francisco has recently wiped out the existing street plans in two sections of that city and substituted for them better plans throughout two fairly extensive parts of the area of the city.

In both cases this has been accomplished, not through condemnation proceedings, nor under the power of eminent domain, nor even under police power, but by the voluntary re-platting of the property by the owners themselves.

The narrow peninsula, at whose northern tip San Francisco is located, is dominated by an irregular range of hills culminating in the Twin Peaks, which stand about 900 feet above the sea. A street system of the usual grid-iron pattern to which San Francisco had been committed throughout most of its area since the early days of American occupation, had previously been dedicated in that area, and a number of lots had been sold off to investors and speculators. Unfortunately, the grid-iron had been projected on a map without regard to the topography. Over the greater part of the area west of the Peaks the system was adequate, but in one region known as Golden Gate Heights the results were little short of absurd. Any attempt to develop that section along the lines of these proposed streets would have involved grades ranging between 25 and 43% with cuts as great as 92 feet deep.

Potentially the Heights constituted one of the most desirable neighborhoods on the entire peninsula, almost every lot had a panoramic view stretching on a clear day, 25 miles out in the Pacific on the West, to Golden Gate on the North, with Mt. Tamalpais in the background.

A plan for the correction of this situation had been discussed for many years, and had its practical inception in March 1917, a few months prior to the completion of the Twin Peaks railway tunnel. It was decided at an early date that the only way to handle the situation was through voluntary replatting on the part of the owners themselves. The area affected by the proposed re-platting contained approximately 115½ acres and included 29 of the old rectangular blocks and involved 134 separate ownerships.

The new street plan occupies a considerably smaller percentage of the total area than the old; the free surplus developed by re-platting

amounting to approximately 3% of the total area affected by the project; a part of this was consumed in compromises incident to the relocation of private holdings, but the residue, amounting altogether to 1.69 acres was concentrated in the re-platting on two outstanding eminences which are now city parks. In addition to the parks acquired in this manner the city also converted the land which it had acquired under threat of condemnation into a park containing 5.11 acres.

Since the acceptance of the new street-plan, 4½ miles of main streets have been graded and macadamized and necessary retaining walls built. Concrete steps on the 22 stairway-streets have been completed. The entire cost of the work, approximately \$450,000, has been borne by the benefited property owners. The district thus replanned has, under zoning ordinance, been restricted to single-family residences. From the character of the dwellings already erected, it appears probable that this subdivision—utterly useless in its original form—is destined to become one of the city's finest home sites.

M. M. O'Shaughnessy, City Engineer of San Francisco and Philip H. Cornick of the National Institute of Public Administration, describing this work in the *National Municipal Review*, recently, ask the following questions as to the application of this experience to other communities. They say:

Does the successful application of the method in these two projects in San Francisco justify the conclusions that city planners generally can include voluntary replatting among the recognized tools of the profession? The answer is undoubtedly in the affirmative, but with several qualifying reservations.

In the first place, the method can be used successfully only in areas which are still entirely, or at least largely, undeveloped. In the second place, it is highly desirable, if not absolutely essential, that one landowner, or a group working in close cooperation, shall control a large enough part of the total area involved to provide the elasticity necessary for the equitable relocation of all small holdings. Finally, some department of the city government must be in position to take the initiative in the long drawn-out negotiations, and to provide the tact, the patience, the persistence, and the technical skill requisite to their successful consummation.

Given these conditions, there is no doubt that voluntary replatting can be employed with less expense and with greater fairness to all concerned than either limited condemnation or excess condemnation. Reinforced by the power to condemn the holdings of such obdurate and uncompromising individuals as will always be found in any large group, the method is undoubtedly an effective means for the removal of conditions growing out of past mistakes which today stand in the way of proper development in many of the outlying sections of our larger cities.



## IS A BILLBOARD A BUILDING?

Zoning practitioners and city planners will be interested in a question decided in the English courts a few months ago, arising with regard to what is termed over there a "hoarding"—what we in America describe as a billboard. In the case at bar (*Stevens v. Willing & Co.*) the question was raised whether a hoarding was a building within the terms of a restrictive covenant. Under the terms of this covenant, it was provided that the purchaser of certain lands, his heirs and assigns would not at any time thereafter erect upon that land any buildings whatever except as mentioned in the conveyance; and would not without the previous consent in writing of the plaintiff from whom he had purchased the property, erect any other or additional buildings, walls or fences on the land. The buildings permitted, mentioned in the conveyance included "dwarf walls and fences".

It appears that the purchasers of the land started to erect a billboard, or as put in the English decision an "advertisement hoarding". Accordingly, the plaintiff's solicitors requested the defendant to discontinue the erection of the billboard and submit plans and details to their client of what they intended to do. The defendants complied with this request, but on the refusal of the plaintiff to approve the plans, they went ahead and continued to erect the billboard contending that it was not a breach of the covenant.

Without going into all the questions involved in this issue, we may cite the court's decision on the principal question involved which has interest for our readers—viz. whether a billboard was a "building", within the terms of this covenant. On this point the court held that the covenant had a very wide significance because the prohibition contained in it implied that "dwarf walls and fences" were "buildings", and having regard to the permanent nature of the structure in question, that the word "building" in the clause was intended to prevent the erection of any such structure upon this land.

The court then cited the leading cases on this subject and handed down a decision holding that the billboard erected for the purpose of a business was a "building", within the terms of the covenant.

Our readers will recall that a similar issue arose not long ago in a Massachusetts case, though not decided by the Massachusetts courts\*—the issue there hinging upon whether billboards were included as buildings under the zoning laws.

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\* See "*Housing*", March, 1929, p. 78.

## GARDEN CITIES IN A NUT SHELL

*Garden Cities and Town Planning* has done a useful service in publishing in tabular form, the fundamental facts with regard to the two English Garden Cities of Letchworth and Welwyn. In view of the interest of our readers in the Garden City movement, we reproduce these figures here:

### Facts and Figures about Garden Cities

	LETCHWORTH	WELWYN
Foundation of the Company .....	1903	May 1919
Cutting of the first sod .....	1904	April 26th, 1920
Area of the Estate:		
Town Area and .....	4,483 acres	{ 1,060 acres
Agricultural belt .....	14,568	{ 1,400 "
Estimated Population in April 1929 .....	95% work in the town; also about 3,000 from outside work in the town.	{ 6,600
Number working in the town .....	About 500.	The average of population per house is 3½, but it is probable that of the adult male population not more than 50% work locally.
Number working outside the town .....		50,000
Probable limit of population .....	35,000	1,980
Number of Houses .....	3,462	One Departmental Store, comprising 33 separate departments
Number of Shops .....	159	44
Number of Factories and Workshops .....	106	12
Number of Public Buildings .....	46	7
Number of Churches (all denominations) .....	17	
Public Services:		
Supply of Gas .....	By First Garden City Ltd.: Output 124,900,000 c.f. p.a.	Supplied by Welwyn and Hatfield Gas Co., 13/6 per therm, large quantities up to 20% disc. 133,000,000 gallons
Supply of Water .....	By First Garden City Ltd.: Output 236 mill. galls. per an.	(The Company own their own Waterworks)
Supply of Electricity.....	By First Garden City Ltd.: Output 7 mill. units per an.	Industrial: gallons per quarter First 50,000 2/- per 1,000 Over 300,000 9d. " Meter Rent from 5/- per qr., according to size. 2,317,076 units
Cottages built by the Company .....	33	(Welwyn Garden City supply —electricity bought in bulk from North Metropolitan Elec. Co.)
Cottages built by Public Utility Societies .....	1,066	Twelve agricultural cottages. All the other cottages have been built by— Welwyn P.U.S. 734 Handside Houses Ltd. 50 Lab. Saving Houses Ltd. 90 Country Homes Ltd. 82
Cottages built by the U.D.C. and R.D.C. ....	1,063 (and 100 building)	443
Average Rents .....	L.U.D.C., 7/3 to 13/6, plus rates	From 6/6 to 13/10, exclusive of rates and water charges.
Accommodation:		
Type A.3 .....	Living-room and 3 bedrooms	128 Living-room & 3 bedrooms
Type B.3 .....	Living-room, 3 bedrooms, and parlour.	211 Living-room, 3 bedrooms, and parlour.
Type B.4 .....	Living-room, 4 bedrooms, and parlour.	33 Living-room, 4 bedrooms, and parlour.
Type A.2 .....	Living-room, 2 bedrooms.	71 Living-room, 2 bedrooms.
Present Ratable Value of Town Assessment .....	£128,222	£62,807
Rates .....	L.U.D.C. cottages: £12, £14, £20, and £23. 5/2 in £ for ¼-year to Sept. 1929	General Rate: 6/- in £ for ½-year to Sept. 1929.
Number of Roads .....	82	80
Length of Roads .....	22 miles	20 miles
Number of Schools .....	5 public elem.; 5 private.	6
Number of Smallholders .....	44	1

## WOMEN MANAGERS FOR HOUSING SCHEMES

Since Octavia Hill, over 50 years ago, demonstrated the value of women as managers of model housing enterprises, there has been a slow but steady development in England, at any rate, in the utilization of this idea—not as rapid a development as the success of that demonstration would have justified but still an encouraging and profitable one.

The latest dispatches from England show there has been a very large increase in the last year in the number of women appointed to act as managers of housing property. Kensington Borough Council has recently given over the management of 24 new flats to a woman manager, in addition to the management of properties belonging to a number of Voluntary Housing Societies. In Chelsea, a slum clearance scheme in that part of Chelsea known as the “world’s end” is now being managed by a woman house manager in cooperation with a private organization.

In the provinces in the city of Chester the Chester City Council has appointed two women managers to manage the new housing estates containing over 300 houses.

At Chesterfield, one of England’s leading authorities in this field, Miss Upcott is at work with an assistant managing municipal property both old and new. The West Bromwich Council has recently appointed a woman manager to manage about 400 houses.

Among other corporations considering the appointment of women managers are those of Leeds, Cheltenham, Dover, Nottingham, Salisbury, Shrewsbury, Easington and Twickenham.

One of the difficulties, however, of this sudden desire on the part of local authorities to employ women managers is the inability to find fully trained workers available in sufficient numbers; naturally, with the demand suddenly assuming these proportions there is not a sufficient supply of trained workers to meet it. That, however, time will overcome.

In addition to these instances where the local authorities have seen the wisdom of employing women managers on the new housing estates, a number of private property owners are also adopting women as house managers. There is a woman manager at work at Wandsworth managing property that is let chiefly on weekly tenancies. In Paddington there is another working for the local Housing Association, while another woman manager is managing flats built by the Ecclesiastical Commissioners on the Walworth estate. And finally, at Liverpool a woman has been appointed as manager and secretary of a newly formed



Public Utility Society, to which Lord Salisbury has given the management of 100 of his houses.

From all of which it would seem as if at least one aspect of the Octavia Hill System was coming into vogue after the lapse of all these years. It is a most encouraging development.

## HOUSING IN THE ECONOMIC PROCESS.

William L. Hare, Editor of *Garden Cities & Town Planning* in a recent issue of that journal with great insight discusses the question of housing as a commodity and the part it plays in the economic process. Asking "Why is there a housing shortage?" Mr. Hare proceeds to present facts that have been known to all of us for many years, but which in recent years we have rather lost sight of, and which, perhaps, some people have never quite grasped.

Discussing this aspect of the housing problem, he says:

Normally, things come into existence, firstly, because they are needed; and, secondly, because an economic demand is made for them. This double pressure brings to market every variety of food, clothing and manufactured article, objects of necessity or luxury, works of art, forms of sport and entertainment; and, also, a certain number of houses. But, for reasons that are discernible, houses do not so easily materialize in response to economic attraction. Food of all kinds can be raised from the English shires or brought hence from vast spaces overseas; and, likewise, manufactured goods are prepared in a thousand factories at home or abroad and sent by road or rail to the centres where need and demand are felt. All these things are movable, consumable and more or less rapidly replaceable, and nearly every person or family is able to make an effective economic demand to secure them, though in unequal measure.

It is otherwise with houses; their very nature places them in a different category; they do not grow, are neither manufactured nor movable (the French describe them as *immeubles*). They do not exist metaphysically, but occupy considerable space and rest on a piece of land—from 50 to 5 per acre. Further, a house is part of a town or village and its owner must adjust his dwelling to the physical unit which it enters, must make it part of a general system of roads and services. Finally, except in a few regrettable cases, dwellings are seldom placed in isolation, but must be sited in blocks, schemes or groups on private or municipal estates, calling for a complicated co-ordination in technical, legal and financial operations. Is it any wonder, then, that houses, with all these necessary physical and social conditions, do not respond as rapidly to need and economic demand as do hats, coats, tools and food supplies? We must recognize that they cannot, that they never did, and never will appear in the market in a fluid unobstructed stream.

This being always so, it hardly needs to be said that with the outbreak of the war a fresh and abnormal obstruction was provided to housing by the national emergency. It was not, then, anyone's

fault that in 1919, after a five years' stoppage, we found ourselves faced with a shortage of more than a million small houses. Normal and abnormal forces had combined to produce a numerical deficiency from which we then suffered and still suffer, in part.

But there is yet another factor in the case, which we have not yet mentioned—the weakness of economic demand for small houses. This, unhappily, is no new thing, and has been with us for centuries, as the slums testify. This must be added to the normal and abnormal forces just mentioned above. Briefly, the poorer and probably the larger portion of our people cannot buy houses, and the poorest cannot offer a rent that will constitute such an economic demand as will bring forth a supply. And this lack of power to buy and to rent is likely to increase, rather than otherwise, because the housing standard has been rising steadily for several decades. A small house has now to be better and must be more expensive than formerly, if it is to have the minimum of comfort and decency, and a suitable place must be found for it. \* \* \*

Our opening question may now be answered. The post-war housing shortage is due to three causes: (1) normal physical and economic obstruction, (2) temporary cessation of building and (3) poverty of the most needy section of the population. It will not be right to conclude from this, that merely to increase the earning capacity of the poorer workers will have any serious influence in producing more small houses, because, as said above, good housing is a system of co-ordinated activities set in motion by a policy of imagination. Higher wages alone will not produce Garden Cities.

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## ZONING AND THE COURTS

### THE BOARD OF APPEALS COMES A CROPPER

Many city planners, zoning consultants and housing experts have for years looked askance at the apparently unlimited and undefined powers given to Zoning Boards of Appeals. Among these professional groups there has been considerable divergence of opinion with regard to the wisdom of such unlimited delegation of power, with the recognition by some that the granting of such powers, unchecked, to irresponsible boards—most of whom cannot be held accountable for their joint action as boards, who seldom are easily removable, and who, therefore, find it easy to dodge responsibility—must necessarily open the door to temptations that the average public official in America finds it difficult to withstand. Others take a totally different view and believe that it is essential to the proper functioning of a zoning ordinance that there should be this unlimited grant of power.

To the layman the powers of Zoning Boards of Appeals are generally undistinguished, and to him seem to consist in a broad general power to modify the zoning ordinance whenever in the Board's opinion it may be necessary. This, however, is not the fact. Zoning authorities have been always keen to distinguish the two very different kinds of powers which under zoning laws have been granted to such boards. One of these may be broadly stated as the power to hear and decide appeals from, and to review orders of administrative officials charged with the enforcement of the ordinance—generally described as the power of adjustment or appeal.

The other power as a rule granted to Zoning Boards of Appeals is what is known as "original jurisdiction" and gives to such Boards the power to "vary or modify the application of any of the regulations or provisions of the zoning ordinance".

As will be seen, this is a totally different power from the power to make adjustments in cases of individual hardship. It is the broad power to practically set aside the enactments of the local legislative body, in particular cases. To illustrate: The ordinance may limit the height of new buildings in a certain district to 150 feet; under this power to "vary the ordinance" it would be within the power of a Zoning Board of Appeals to permit a building in that district to be erected to a height of 200 feet—or any other height that might seem desirable.

#### THE ILLINOIS DECISION

The power of Zoning Boards of Appeals to vary and modify zoning ordinances was recently the subject of a decision of Illinois's highest court, the Supreme Court of that state (*Welton v. Hamilton*, *U. S. Daily*, Nov. 20, 1929). In this decision handed down on October 19th last, concurred in by all the members of that court, it was held that the provisions of the Chicago zoning ordinance which give to the Zoning Boards of Appeals the power to vary or modify the application of any of the provisions of the zoning ordinance is unconstitutional and void.

The case at bar arose in connection with the erection of a proposed 20-story apartment building 213 feet high in a district, where the legal height limit under the zoning ordinance was 72 feet, the building thus exceeding the permitted height limit in that district by 141 feet. Upon the original application for a permit the Commissioner of Buildings denied it, on the ground that the building did not conform to the zoning requirements. Whereupon, an appeal was taken to the



Zoning Board of Appeals to vary or modify the provision in question; which the Board did, finding that "there was unnecessary hardship in the way of carrying out the strict letter of the zoning ordinance". A property owner whose neighboring property would have been damaged by such a building sued out a writ of certiorari to prevent this. The lower court sustained the Board of Appeals and it was from that decision that an appeal was taken to the court of last resort.

### THE POWER TO SET ASIDE THE LAW VOID

The Illinois Supreme Court held that the part of Section 3 of the Illinois zoning law

which purports to authorize the board of appeals to vary or modify the application of any of the regulations or provisions of the zoning ordinance relating to the use, construction or alteration of buildings or structures or the use of land is *arbitrary and unconstitutional because it is a delegation to an administrative body of the general power of legislation, which can be exercised by the General Assembly alone.*

The Court holds that the provisions of the ordinance based on this part of the statute are also unconstitutional. And, while it does not hold that the creation of the Board of Appeals itself is invalid, it does hold that such a board is without authority to vary or modify the regulations or provisions of the ordinance. The Court is careful to point out that other provisions of the section are not questioned.

In reaching its conclusions the Court considers very carefully this question of delegated power with particular reference to the provisions of the Illinois Constitution and a long line of decisions in that state. It points out the principles which should control delegation of power by the legislature and on this point quotes Sutherland on statutory construction (Section 68) as follows:

The true distinction is between a delegation to make the law, which involves a discretion as to what the law shall be, and conferring an authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first cannot be done; to the latter no objection can be made.

### THE LINE OF DECISIONS ON DELEGATED POWER IN ILLINOIS

It then proceeds to cite a number of leading cases in Illinois illustrating the point in question; four of the cases cited are ones in which the discretion authorized to be exercised by the public official concerned was not as to what the law was or should be, but was in regard to its execution, to be exercised under and in pursuance of the law in the determination of certain facts. With regard to this class of cases, the Court says:

These were all things proper for the legislature to do itself but were also things impracticable for it to do advantageously or understandingly. The law stated the object to be accomplished or the thing permitted and then called into action the local authorities or agencies to accomplish in detail, with their better opportunities, the object which is authorized or required in general terms.

On the other hand, as the Court points out, the other six cases cited are of a different character. Of each of these, the Court says:

The law or the ordinance in the particular case was incomplete when it came out of the legislature or the city council, and its force and application to the particular case could only be known when some administrative board or public official upon whom the legislature or council had undertaken to confer the authority to say the final word which would give effect to the law or the ordinance, had exercised its or his discretion.

Applying this distinction and these two lines of previous decisions in that state to the case at bar, the Court points out that the provision of the zoning act which authorizes the Zoning Board of Appeals to vary or modify the zoning ordinance—

provides no rule or standard for the guidance of the board other than its own uncontrolled discretion.

The Court goes on to say:

That part of Section 3 which purports to confer upon the board of appeals authority to vary or modify the application of the provisions of the ordinance where there are practical difficulties or unnecessary hardship in carrying out the letter of the ordinance is *an unconstitutional delegation of legislative authority*.

#### NO STANDARDS OR RULES LAID DOWN

The Court very rightly says:

The statute gives no direction, furnishes no rule and provides no standard for determining what are practical difficulties or unnecessary hardships which justify setting aside the provisions of the ordinance and varying or modifying their application but leaves those questions to be determined by the unguided and unlimited discretion of the board. "Practical difficulties" and "unnecessary hardship" are not well defined and understood terms having a specific meaning which would enable an average person of ordinary intelligence to apply the tests of "practical difficulty" and "unnecessary hardship" to any particular case. \* \* \*

*Practical difficulties and unnecessary hardships, under this statute are whatever conditions the board of appeals decides to be such difficulties and hardships.*



The Court very properly calls attention to the slipshod way in which this board of appeals acted in the case before it—a practice common to most boards of appeals. On this point the Court says:

In this particular case the board of appeals did not make any attempt to state what the difficulty or hardship was in the way of carrying out the strict letter of the ordinance or in what respect the spirit of the zoning ordinance might be observed, the public safety and welfare secured and substantial justice done by permitting the erection of the proposed building.

The Board simply made the general finding that there is unnecessary hardship, etc., and ordered the issue of the permit, and the only thing decided is that the board of appeals thought a permit ought to issue in this case in accordance with the plans submitted *and in violation of the express provisions of the ordinance but with no indication of the reason why.*

#### LESSER RETURN ON THE PROPERTY NOT A HARDSHIP

As the New York courts have repeatedly pointed out, the fact that the owner could obtain a greater return from his investment with one class of building than he could with that permitted by the ordinance, is not an unnecessary hardship as contemplated by the statute. On this point the Court said:

The mere fact that the owner of a particular parcel of property in a certain district, acquired long after it was classified under the zoning ordinance, can make more money out of it if permitted to disregard the ordinance instead of required to comply with it, is neither a difficulty nor a hardship authorizing the board of appeals to permit such owner to disregard the ordinance so far as it interferes with his plans for a more profitable use, and the legislature was without power to authorize an administrative board to grant such permission.

A much needed word of warning is given to zoning boards of appeals by this decision, where the Court says:

If a tribunal transcends the limits which the constitution or the law has prescribed for it and assumes to act where it has no jurisdiction its acts will be utterly void.

#### AN ADMINISTRATIVE BOARD

Incidentally, the Court passes upon that much debated question among zoning experts and city planners, namely as to whether a zoning board of appeals is a quasi-judicial body as held in New York, or is an administrative board as claimed by many city planners. On this point the Illinois Supreme Court states that:

The board of appeals is not a court but an administrative board which has no judicial powers and the hearing before it is not a judicial proceeding.



Some zoning authorities who advocate unlimited grants of power to zoning boards of appeals think that this decision is so closely tied up to a long line of decisions in the Illinois courts that it will not materially influence decisions in other states.

We do not think they can "lay that flattering unction to their soul". The decision is clear cut and goes to the very essence of this grant of original power to zoning boards of appeals—a power which many zoning experts believe such boards should never have had.

#### UNLIMITED DISCRETION FROWNED UPON

The decision also, while careful to limit its findings to the one specific question involved in Section 3 of the Illinois Act, does address itself to the very broad question of these undefined and unlimited powers that are granted to zoning boards of appeals in other states as well as in Illinois, and on this point it is significant that the Court has the following to say:

ANY LAW WHICH VESTS IN THE DISCRETION OF ITS ADMINISTRATIVE OFFICERS THE POWER TO DETERMINE WHETHER THE LAW SHALL OR SHALL NOT BE ENFORCED WITH REFERENCE TO INDIVIDUALS IN THE SAME SITUATION, WITHOUT ANY RULES OR LIMITATIONS FOR THE EXERCISE OF SUCH DISCRETION, IS UNCONSTITUTIONAL. (*Board of Administration v. Miles*, 278 Ill. 174; *Kenyon v. Moore*, 287 Ill. 233; *Jackson v. Blair*, 298 Ill. 605.)

This decision of Illinois' court of last resort raises questions that are vital to the success of the zoning movement. We are uninformed as to whether the case is to be carried to the United States Supreme Court but think it highly desirable that it should be passed upon by that court of last resort, so that zoning practitioners may shape their course accordingly, knowing that they have behind them either the full authority of the law or that the methods heretofore adopted must be changed.

#### THE LESSON FOR ZONERS

In the earlier days of zoning, 10 or 15 years ago, when zoning was a pioneer effort, it was understandable that those advocating this important method of regulating buildings should, to greater or less extent, feel their way, especially with regard to the legal questions involved. And it is not surprising that those responsible for many of the zoning ordinances throughout the country in those earlier days should have taken the path of least resistance, and solved their somewhat difficult problems by referring all unsettled questions to zoning

boards of appeals in those unlimited grants of power that are to be found in most of our country's zoning ordinances.

That course of action was understandable at the time. Today the situation is different. We have behind us 15 years of experience in the administration of zoning ordinances. We are aware of the very serious abuses that have arisen in connection with these unlimited grants of power to zoning boards of appeals in all parts of the country wherever such boards have been established and the dissatisfaction that has resulted therefrom, and the very serious elements of corruption and graft that have entered in in many cases.

We wonder whether the time has not come when zoning practitioners throughout the country should recognize these dangers and follow the admonition laid down by the Illinois Supreme Court and limit the powers granted to zoning boards of appeals as indicated in this decision.